

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL ACTION NO.: 5:22-cv-00068-BO

YOLANDA IRVING, individually and as the)
natural parent and guardian of J.I. JUWAN)
HARRINGTON, CYDNEEA HARRINGTON, KENYA)
WALTON, individually an as the natural)
parent and guardian of R.W. ZIYEL WHITLEY,)
DYAMOND WHITLEY, KAMISHA WHITLEY, NANETTA)
GRANT as the natural parent and guardian)
of Z.G. and EMANCIPATE NC, INC.)

Plaintiffs,)

vs.)

THE CITY OF RALEIGH, Officer OMAR I.)
ABDULLAH, Sergeant WILLIAM ROLFE, Officer)
RISHAR PIERRE MONROE, Officer JULIEN DAVID)
RATTELADE, and Officer MEGHAN CAROLINE GAY,)
Officer DAVID MEAD, Officer JESUS ORTIZ,)
Officer KYLE PERRIN, Officer MICHAEL)
MOLLERE, Officer KYLE THOMPSON, Officer)
VINCENT DEBONIS, Officer DANIEL TWIDDY,)
Officer THOMAS WEBB, Officer DAVID)
McDONALD, Officer DAVID GARNER, Chief of)
Police ESTELLA PATTERSON and City Manager)
MARCHELL ADAMS-DAVID, in their official)
capacities,)

Defendants.)

D E P O S I T I O N

OF

OFFICER WILLIAM ROLFE

At Raleigh, North Carolina

Tuesday, January 17, 2023

REPORTER: DEBORAH A. HYDE

REED & ASSOCIATES

MATTHEWS, NORTH CAROLINA 980.339.3575

A P P E A R I N G

On Behalf of the Plaintiffs:

IAN A. MANCE, ESQUIRE
EMANCIPATE NC
P.O. Box 309
Durham, North Carolina 27702
828-719-5755
ian@emancipatenc.org

ABRAHAM RUBERT-SCHEWEL, ESQUIRE
Tin Fulton Walker & Owen, PLLC
119 East Main Street
Durham, North Carolina 27701
919-451-9216
schewel@tinfulton.com

On Behalf of Defendants City of Raleigh, Estella
Patterson, and Marchell Adams-David:

DOROTHY V. KIBLER, ESQUIRE
AMY PETTY, ESQUIRE
City of Raleigh Attorney's Office
Post Office Box 590
Raleigh, North Carolina 27602
919-996-6560
dorothy.kibler@raleighnc.gov

On Behalf of Defendant Officers David Mead, Jesus
Ortiz, Kyle Perrin, Michael Mollere, Kyle Thompson,
Vincent Debonis, Daniel Twiddy, Thomas Webb, David
McDonald, and David Garner:

MICHELLE LIGUORI, ESQUIRE
Ellis & Winters LLP
4131 Parkdale Avenue, Suite 400
Raleigh, North Carolina 27612
919-865-7009
michelle.liguori@elliswinters.com

(Continued)

REED & ASSOCIATES
MATTHEWS, NORTH CAROLINA 980.339.3575

A P P E A R I N G

On Behalf of Defendant Officer Omar I. Abdullah:

JASON R. BENTON, ESQUIRE
Parker Poe Adams & Bernstein, LLP
620 South Tryon Street, Suite 800
Charlotte, North Carolina 28202
704-372-9000
jasonbenton@parkerpoe.com

On Behalf of Defendant Officers Rishar Pierre Monroe,
Julien David Rattelade, and Meghan Caroline Gay:

ALAYNA M. POOLE, ESQUIRE
Yates, McLamb & Weyher, LLP
Two Hannover Square
434 Fayetteville Street, Suite 2200
Raleigh, North Carolina 27601
919-835-0900
apoole@ymwlaw.com

On Behalf of Defendant Officer William Rolfe:

NORWOOD P. BLANCHARD, III
Crossley McIntosh Collier Hanley & Edes, PLLC
5002 Randall Parkway
Wilmington, North Carolina 28403
910-762-9711
norwood@cmclawfirm.com

* * * * *

REED & ASSOCIATES
MATTHEWS, NORTH CAROLINA 980.339.3575

C O N T E N T SPAGE

Examination by Mr. Mance:

8

PLAINTIFFS' EXHIBITS

Exhibit A	Findings & Recommendations (Abdullah)	10
Exhibit B	Excerpt of Abdullah Deposition	15
Exhibit C	Incident #P18051289	20
Exhibit D	Gregory Marshall Report	23
Exhibit E	Rattelade Internal Affairs Interview	26
Exhibit F	Abdullah 2020 Annual Performance Eval	28
Exhibit G	Abdullah 2019 Annual Performance Eval	28
Exhibit H	Det. Abdullah, O.I. C2020-023	31
Exhibit I	IA Interview - Rolfe	36
Exhibit J	Interview With Detective Abdullah	36
Exhibit K	Detective Rattelade C202	118
Exhibit L	Interview, J.C. Gwinn	52
Exhibit M	Interview, J.D. Rattelade	52
Exhibit N	Personnel File, W. Rolfe	136
Exhibit O	Interview, J.W. Bunch	59
Exhibit P	Interview, M.C. Gay	67
Exhibit Q	Interview, R.P. Monroe	68
Exhibit R	Detective Monroe, R.P. C2020-023	73
Exhibit S	Sergeant Rolfe, W.S. C2020-023	75

(Continued)

REED & ASSOCIATES

MATTHEWS, NORTH CAROLINA 980.339.3575

PLAINTIFFS' EXHIBITS
(Continued)

	<u>PAGE</u>
Exhibit T Rattelade SBI Interview	91
Exhibit U Tab 1 Appeal Docs from Rolfe	94
Exhibit V Preliminary Extraction Report - Abdullah	99
Exhibit W Texts from M. Gay Cellphone	104
Exhibit X Transcript, 12021-025 Dep. Chief Jordan and W.S. Rolfe	134
Exhibit Y Marcus VanIrvin Offense/Incident Report	160

(Exhibits provided with the transcript.)

* * *

Reporter's Note: This transcript contains quoted material. Such material is reproduced as read or quoted by the speaker.

REED & ASSOCIATES
MATTHEWS, NORTH CAROLINA 980.339.3575

1 This is the deposition of OFFICER WILLIAM
2 ROLFE, taken in accordance with the Federal Rules of
3 Civil Procedure in connection with the above case.

4 Pursuant to Notice, this deposition is being
5 taken at the City Attorney's Office, One Exchange Plaza,
6 Raleigh, North Carolina, beginning at 10:14 a.m. on
7 Tuesday, January 17, 2023, before Deborah A. Hyde,
8 Certified Verbatim Reporter and Notary Public.

9 * * *

10 MR. MANCE: I think before we get into
11 questions, Norwood, this copy is for you. This is a
12 binder of materials that I'm going to be making reference
13 to today. And, Dottie, you weren't here when I spoke to
14 the others about it.

15 Everyone should have this binder. On the front
16 is a table of contents. These are all the documents that
17 I intend to refer to in the deposition today. These are
18 things like SBI interviews or various interviews where I
19 might say, for example, "Detective Rattelade said this.
20 Do you agree with that statement?"

21 And so all of those statements are in this
22 binder. I tried to organize them in the order in which
23 I'm going to refer to them. As I read the question, if I
24 use a direct quote, I'll tell you where you can find it
25 in the binder. So I'll say Exhibit B, page 4, you know,

1 so you can flip through it. I thought that would just be
2 more efficient in getting us through this so that we
3 don't spend a whole lot of time, since there are a lot of
4 documents, kind of pausing and hunting for things. So
5 y'all can just kind of read along.

6 Mr. Rolfe, if you need to see -- if, in order
7 to answer a question, you need to, like, visualize it and
8 look at it, you're able to do that.

9 THE WITNESS: Okay.

10 MS. POOLE: Ian, I just want to state an
11 objection on the way Exhibit W is worded. These were
12 from Detective Gwinn, not Detective Gay, but I don't want
13 to interrupt you if you refer to it.

14 MR. MANCE: That's how it was produced to us.
15 I haven't changed the title.

16 MS. KIBLER: That's what was given to us.

17 MS. POOLE: Okay. I'm sorry, do not
18 misunderstand. We still have no access to Detective
19 Gay's phone. Those were from Gwinn, so I apologize for
20 that.

21 MR. MANCE: All right.

22 Whereupon,

23 **OFFICER WILLIAM ROLFE**

24 was called as a witness and, having first been duly
25 sworn, was examined and testified as follows:

REED & ASSOCIATES
MATTHEWS, NORTH CAROLINA 980.339.3575

1 EXAMINATION

2 BY MR. MANCE:

3 Q. Good morning. My name is Ian Mance. I'm one
4 of the attorneys for the plaintiffs in this case. Can
5 you state and spell your name for the record?

6 A. My name is William Rolfe, W-i-l-l-i-a-m
7 R-o-l-f-e.

8 Q. Are you the same William Rolfe who worked as
9 Sergeant of the Drugs and Vice Unit in 2019 and 2020?

10 A. Yes.

11 Q. Today you will be testifying under oath and
12 under penalty of perjury, just as if you were in a court
13 of law. Do you understand that?

14 A. I do.

15 Q. Have you ever taken a deposition before?

16 A. I don't think I have.

17 Q. Other than lawsuits related to this incident,
18 have you ever been party to a lawsuit before?

19 A. No.

20 Q. The questions I'm going to ask today and the
21 answers you give are being transcribed by a court
22 reporter. It's important you speak clearly and at a
23 level that she can hear you. Do you understand that?

24 A. Yes.

25 Q. And it's also important that you answer

1 questions verbally with words like "yes" or "no," instead
2 of "uh-huh." Do you understand that?

3 A. I do.

4 Q. At times today your attorney might object to
5 certain questions that I ask, which is fine. You're
6 still required to answer every question unless you're
7 instructed by your attorney not to. You're required to
8 answer each question I ask truthfully and completely as
9 possible. Do you understand that?

10 A. Yes.

11 Q. Okay. So I do have a lot of questions to get
12 through today. I want to do this in an efficient manner.
13 I want to be respectful of your time and others' time.

14 A lot of the questions are going to be yes or
15 no questions, "Did that happen? Is that true?" If you
16 think that there's more nuance than a yes/no answer,
17 you're welcome to provide a more complete answer.

18 A. Okay.

19 Q. Okay. Much of what I'm going to ask you about
20 are going to be either things you said or wrote to
21 investigators in the Internal Affairs investigations into
22 Detective Abdullah and into yourself. I'm going to be
23 asking you about statements from the detectives who
24 worked for you concerning matters relative to this
25 lawsuit. I'm going to ask you to react to them and tell

1 me if, from your point of view, they are accurate.

2 A. Okay.

3 Q. All of these statements and writings that I'll
4 be referencing are going to be from things that your
5 attorneys have had access to, so none of these materials
6 should be a surprise. As I said, I brought printed
7 copies of all of them, one of which I've handed the court
8 reporter. I'm going to quote directly from these a lot,
9 and when I do, I'll do my best to say "quote" before and
10 after any direct quotations. Okay?

11 A. Okay.

12 Q. I've already explained sort of the system we
13 have for tracking those. All right. So I'm going to
14 start by looking at the first exhibit, if you want to
15 open up just Exhibit A, and I've labeled this Plaintiff's
16 Exhibit A. And this is what's labeled "Findings and
17 Recommendations," and it's the RPD Internal Affairs
18 Report about Detective Abdullah. The bottom right-hand
19 corner of the page is stamped COR 005974.

20 (Exhibit A was identified for the record.)

21 BY MR. MANCE:

22 Q. And we're going to look at that page and the
23 next one, 5975. I'm going to read the highlighted --
24 some passages that I have highlighted to you and then I'm
25 going to ask you a question.

1 Okay. So the conclusions -- the findings say,
2 "Detective Abdullah made an arrest of Dennis Williams on
3 August 15, 2018, when Mr. Williams sold counterfeit pills
4 to a confidential informant." And I'm not going to read
5 the whole thing. I'm just going to skip around and read
6 a few things from this.

7 "Dennis Williams was released from prison on
8 August 30th, 2019 and placed on parole with certain
9 post-release conditions that included no contact with
10 illegal drugs or people in possession of illegal drugs.

11 "On November 26, 2019, Dennis Williams made the
12 first of 19 total buys for what was supposed to be
13 heroin. Detective Abdullah used Dennis Williams as a
14 confidential informant to make 10 heroin cases against a
15 total 13 suspects from November 2019 through May 2020.
16 In every case where Dennis Williams returned from the
17 purchase with a product that was reported to be heroin,
18 the lab test confirmed lack of any controlled substance
19 to be present in the material. Detective Abdullah
20 received the first negative lab test result on January 7,
21 2020, and the second negative lab test on February 25,
22 2020. An additional 8 heroin cases were made by
23 Detective Abdullah while using Dennis Williams as a
24 confidential informant after the first negative lab test.
25 Additionally, none of the above-mentioned heroin cases

1 made by Detective Abdullah while using Dennis Williams as
2 a confidential informant resulted in audio or video
3 recording of any drug transaction, despite the fact that
4 working equipment was used in each case, and in some
5 cases more than one type of recording device was used at
6 the same time."

7 My question is, sitting here today, do you
8 dispute the accuracy of any of those conclusions?

9 MR. BLANCHARD: Objection.

10 MR. BENSON: Objection, form, foundation.

11 MR. BLANCHARD: And knowledge, for that matter.
12 Go ahead.

13 THE WITNESS: I can't say that I could
14 accurately confirm all that information, no.

15 BY MR. MANCE:

16 Q. Do you believe that information to be correct?

17 MR. BENSON: Same objection.

18 MR. BLANCHARD: Objection.

19 THE WITNESS: I don't.

20 MR. BLANCHARD: Same thing.

21 BY MR. MANCE:

22 Q. When did Dennis Williams first become known to
23 you?

24 A. From the -- when you first started reading the
25 information regarding him about the -- when he sold the

1 counterfeit pills to another informant.

2 Q. And when was that?

3 A. I don't know a specific date, but you had a
4 date referenced in there that you just read.

5 Q. Are you the person who approved him to work as
6 a confidential informant?

7 A. No.

8 Q. Who was?

9 A. Ultimately, all the confidential informant
10 packets are approved by the Lieutenant for Drugs and
11 Vice, who at the time would have been Jennings Bunch.

12 Q. Did you have a role in the approval process?

13 A. Yes.

14 Q. What was your role?

15 A. The role is to review the informant packet,
16 make sure that everything in the packet is included, and
17 then forward it to the lieutenant.

18 Q. And how long did Dennis work as a CI?

19 A. From -- I don't have a specific date, but he
20 was blacklisted on that last case in May, so from -- I
21 don't have a specific time frame, but when you -- shortly
22 after the sale of those counterfeit pills, he was
23 approved, and then he was blacklisted after that last
24 case when I was on vacation.

25 Q. Was his work for your unit continuous or were

1 there any interruptions?

2 A. There were some interruptions. He was arrested
3 on a unrelated charge and was in jail in another county
4 for a time.

5 Q. How many buy operations did he conduct in total
6 for your unit?

7 A. I do not know.

8 Q. Did Dennis have a code name?

9 A. Yes.

10 Q. What was that code name?

11 A. Aspirin.

12 Q. And why was that given?

13 A. It was a reference to the counterfeit pills
14 that he sold on the initial encounter that we had that
15 ended up being aspirin.

16 Q. Did that name raise any red flags for you?

17 A. No.

18 Q. The SBI concluded that Dennis made 30
19 controlled buys and Internal Affairs said that 10 of the
20 arrests involved heroin trafficking. Does that sound
21 correct?

22 A. Yes.

23 Q. Of those 30 buys, approximately how many of the
24 buys were you involved in in some capacity?

25 A. I would say the majority of them.

1 Q. Detective Abdullah testified in his
2 deposition -- this is Exhibit B at page 43 -- that you
3 were there for about 90 percent of the buys he set up,
4 that you would typically accompany them in your own
5 vehicle. Is that correct?

6 A. Right.

7 (Exhibit B was identified for the record.)

8 BY MR. MANCE:

9 Q. He described your activities -- and this is at
10 B-44 -- as, quote, "helping with surveillance, monitoring
11 the buy and assisting each other on each other's buys."
12 Is that accurate?

13 A. Yes.

14 Q. He testified that you would monitor the buy
15 through video on your phone, through things like the 1021
16 app, as well as through physical surveillance. That's at
17 B-44 as well. Is that correct?

18 A. Yes.

19 Q. When did the operations with Dennis Williams
20 come to a halt?

21 A. In May, when the case that occurred when I was
22 on vacation.

23 Q. What about the first time around that there was
24 an interruption?

25 A. I would assume when he went to jail.

1 Q. And when -- did he go to prison?

2 A. As far as I know, he was in a county jail.

3 Q. Okay. Do you recall for how long he was
4 incarcerated?

5 A. I do not.

6 Q. Was Dennis Williams on probation at the time he
7 was released in 2019?

8 A. I do not know.

9 Q. To be clear, you do not know, sitting here
10 today, or you did not know at the time?

11 A. Both.

12 Q. Okay. Has the court in his case, to your
13 knowledge -- or did the court in his case, to your
14 knowledge, impose any terms that he was not to have
15 contact with narcotics?

16 A. I do not know.

17 Q. If a person is working under such terms, are
18 they permitted to work as a CI for Vice?

19 A. They're permitted to work as a CI for Vice if
20 they get the approval of probation and parole.

21 Q. Did you ever see paperwork signed by Dennis
22 Williams' probation officer, Mr. Upchurch, saying that
23 Dennis was approved to work with Omar Abdullah doing CI
24 buy work?

25 A. Yes.

1 Q. Did you produce that paperwork in your Internal
2 Affairs hearing?

3 A. No.

4 Q. Did you ever see paperwork signed by a judge
5 saying that it was okay for Dennis to work with Omar
6 Abdullah doing CI buy work?

7 A. That would have been the same paperwork.

8 Q. Okay. Why didn't you produce to Internal
9 Affairs investigators that paperwork when you had an
10 incentive to do so?

11 A. Because it wasn't my paperwork. It was
12 Detective Abdullah's paperwork.

13 Q. Was it not available to you?

14 A. No.

15 Q. Is it your understanding that you could not
16 have gotten it or your attorney could not have gotten it
17 for purposes of the IA process?

18 MR. BLANCHARD: Objection. Just to be clear, I
19 don't represent him in the IA stuff and I don't know if
20 he had an attorney.

21 BY Mr. MANCE:

22 Q. Did you have an attorney?

23 A. No.

24 Q. Okay. In your role as sergeant of the unit,
25 was it the department's expectation that you would

1 require that paperwork be turned in with all the
2 necessary signatures before you would approve a proposed
3 CI who was on probation to work with one of your
4 detectives?

5 A. Yes.

6 Q. Did you ever ask Omar Abdullah if Dennis
7 Williams was on probation?

8 A. I don't know if I specifically asked him, but I
9 specifically recall that we had to get court approval
10 paperwork for him to additionally work as a CI, and I
11 remember specific correspondence between Detective
12 Abdullah and the office of probation/parole to get that
13 approved.

14 Q. Did you personally verify that information?

15 A. I don't -- I personally saw the paperwork for
16 the approval when Detective Abdullah brought it to the
17 station.

18 Q. Do you have access -- or did you have access to
19 CJLEADS at that time?

20 A. I didn't specifically have access to CJLEADS.
21 CJLEADS was available through multiple detectives if I
22 were to need it.

23 Q. So you had a way of getting on CJLEADS if you
24 wanted to?

25 A. Yes.

1 Q. Did you check CJLEADS at any time to look up
2 Dennis Williams?

3 A. No.

4 Q. As sergeant, was it the Raleigh Police
5 Department's expectation that you would not approve a
6 detective's request to certify CIs if there was a
7 reasonable basis to think that the CI had a pattern of
8 dishonesty?

9 MR. BLANCHARD: Objection to the form. You can
10 respond.

11 THE WITNESS: Can you repeat that?

12 BY MR. MANCE:

13 Q. Sure. As sergeant, was it the department's
14 expectation that you would not approve a detective's
15 request to certify a CI if there was a reasonable basis
16 to think that the CI had a pattern of dishonesty?

17 A. Yes.

18 Q. Are you aware if Dennis Williams is a member of
19 a gang?

20 A. That was my understanding.

21 Q. Did you see that as any issue?

22 A. No.

23 Q. Did Dennis Williams stab a woman the same year
24 that he assisted your unit with the operation we're here
25 about today?

1 A. I have no knowledge of that.

2 Q. To your knowledge, did he ever stab a woman?

3 A. I don't know.

4 Q. Would that be the type of thing that you would
5 expect to be told about if it did happen?

6 A. Yes.

7 Q. Did any of the drugs Dennis Williams produced
8 in buy operations in 2018, prior to his time of
9 incarceration, come back as counterfeit or not what they
10 were represented to be?

11 A. Not to my knowledge.

12 Q. Okay. I'd like to look at a report. It's
13 labeled Exhibit C, if you could just turn to it. It's
14 labeled "Incident Number P18051289." It identifies the
15 suspect as, quote, "white boy." I've labeled it
16 Plaintiffs' Exhibit C. It's from September 20th, 2018.

17 (Exhibit C was identified for the record.)

18 BY MR. MANCE:

19 Q. This was a purported purchase of crack cocaine
20 that turned out not to be narcotics. Do you recall this
21 incident?

22 A. Not specifically.

23 Q. What would you have generally done in response
24 to something like this?

25 A. So there are occasions when drug dealers or

1 people posing as drug dealers will sell counterfeit
2 controlled substance to rip people off or to just make
3 money off of producing fake drugs, especially in an
4 open-air drug market where there's no specific
5 relationship, per se, between the dealer and the
6 customer, so it wouldn't be uncommon for fake drugs to be
7 sold to a customer.

8 Q. Would you have made a report somewhere that
9 this CI had produced counterfeit drugs so that if it
10 happened again and became a pattern, you would notice
11 that pattern?

12 A. Well, in reference to this, are you talking
13 about a CI or are you talking about -- I'm not really
14 following your line of questioning.

15 Q. If you had a report that indicated that a CI
16 had made a purchase and that purchase turned out to be
17 counterfeit, would you make some sort of report of that
18 so that you would have an opportunity, if that happened
19 again, to see that this was a pattern?

20 A. Are you asking in the -- prior to a person
21 being signed up as a CI for the police department?

22 Q. No. I'm saying that once someone is working as
23 CI, if they make a buy -- and this would have been early
24 on with Dennis -- and that buy turns out to be a
25 counterfeit substance, would you generate any paperwork

1 that, "Hey, this CI produced a counterfeit substance," so
2 that if in the future the same thing happens again, you
3 would have a way of determining that, perhaps, a pattern
4 exists?

5 A. No, because it's not uncommon for that to
6 occur, depending on the circumstances. It's too
7 circumstantial to immediately make some kind of notation
8 that the informant ended up purchasing a counterfeit
9 substance. It's not -- it's not necessarily a reflection
10 on the informant, depending on what we've asked him to go
11 do.

12 Like, if we're asking him to buy drugs from
13 this location, it's not necessarily a reflection on him
14 that the drugs ended up being fake. Maybe something to
15 keep an eye on, but I wouldn't say it's necessarily
16 something that you would need to make documentation on.

17 Q. To your knowledge, did you make any
18 documentation in response to this?

19 A. No.

20 Q. I'd like to look at another one. This is
21 marked Exhibit D. This one, the defendant's name is
22 Gregory Marshall, and this one says, "Analysis for --"
23 there was an analysis done for controlled substances
24 performed when a solid white material came back negative.
25 Do you remember this case?

1 A. No.

2 (Exhibit D was identified for the record.)

3 BY MR. MANCE:

4 Q. If you had seen this in terms of what you would
5 have done, would your answer be kind of same as your
6 previous answer?

7 A. Yes. One thing I'd like to point out is these
8 are -- this is Detective Abdullah's paperwork. This is
9 drug analysis that he got returned to him. It wasn't
10 anything that I had reviewed or had knowledge of. This
11 was all his -- these are his cases. I'm not a drug
12 detective. I'm a supervisor of detectives.

13 Q. As his supervisor, if you had wanted to look at
14 these documents, would you have been able to?

15 A. If he had them available, yes.

16 Q. Well, is there a reason to believe that they
17 would not have been available on the dates that are
18 reflected on the documents?

19 A. Well, it just depends on, you know, where he
20 kept his files, if they were available to me or not. You
21 know, a lot of this stuff was generated later and after
22 the fact, the paperwork put together.

23 Q. These I'm talking about from 2018.

24 A. Right.

25 Q. If in 2018 you had gone to Detective Abdullah

1 and said, "I'd like to see your files," even if you
2 didn't know where he kept them, do you think you could
3 have gotten custody of those files?

4 MR. BLANCHARD: Objection. Go ahead and
5 respond.

6 THE WITNESS: If he had them available, yes.

7 BY MR. MANCE:

8 Q. And if he didn't, that would have been a
9 problem, correct?

10 A. It very well could have.

11 Q. Okay. So this Gregory Marshall incident would
12 have been the second time in about a month's time that
13 drugs came back fake. Would that have drawn your
14 attention?

15 A. It would just depend on what we were asking the
16 CI to do, kind of the same answer I gave on the last.
17 It's certainly something to be aware of, but not
18 necessarily red flag material, I would say.

19 Q. So these documents are dated October and
20 September of 2018. Would you agree that these operations
21 would have occurred prior to Dennis Williams' stint in
22 prison, after which time he came out?

23 MS. KIBLER: Objection.

24 THE WITNESS: I don't know that time frame.

25 MR. MANCE: What's the objection?

1 MS. KIBLER: Object to the form.

2 BY MR. MANCE:

3 Q. Prior to your realization that he was selling
4 fake drugs, was there anything notable about Dennis
5 Williams as an informant?

6 MR. BLANCHARD: Object to the form.

7 BY MR. MANCE:

8 Q. You can answer.

9 A. He was selling --

10 Q. Let me withdraw the question. I'll just -- was
11 there anything notable about Dennis Williams as an
12 informant?

13 A. No.

14 Q. Were the drug buys he was making generally
15 consistent in terms of quantity and frequency of purchase
16 as the other purchases that the other CIs used by your
17 unit were making?

18 A. Yes.

19 Q. A number of your detectives told Internal
20 Affairs that Abdullah and Williams were making
21 unprecedented buys, that they made 10 heroin trafficking
22 cases, which are among the more serious cases that you
23 can make and are often handled by other units. Were
24 these cases unprecedented?

25 MR. BENSON: Objection.

1 THE WITNESS: Am I supposed to answer?

2 BY MR. MANCE:

3 Q. You can answer.

4 A. Okay. I wouldn't say unprecedented, no.

5 Q. Okay. I'm going to reference a quote on
6 Exhibit E, page 4.

7 (Exhibit E was identified for the record.)

8 BY MR. MANCE:

9 Q. Detective Rattelade says no one on your whole
10 squad had a CI who had the kind of connections and street
11 credit necessary to make the kind of buys that Williams
12 was making for Abdullah. His quote was, quote, "You'd
13 have to have a really good connection and real people
14 vouching for you. Nobody assigned to my unit really has
15 anyone with that kind of street credit," end quote. He
16 said the people who make those types of arrests are
17 generally in the Career Criminal Unit and Criminal
18 Enterprise Unit.

19 What is your reaction to those statements?

20 MR. BENSON: Objection to form.

21 MS. POOLE: Objection.

22 THE WITNESS: Answer it?

23 BY MR. MANCE:

24 Q. Uh-huh.

25 A. I would -- I kind of contributed his ability to

1 bring in those sorts of cases to his gang affiliation.

2 That's why I felt that he was able to bring in that many
3 trafficking cases, because of his gang affiliation.

4 Q. Who else would you compare Williams' arrests to
5 in terms of productivity?

6 A. I don't have a comparison.

7 Q. Is there anyone that you can think of, even if
8 by name -- not by name, who was as productive in terms of
9 the volume and frequency of heroin?

10 A. No.

11 Q. Are you aware of any such person in the history
12 of the Raleigh Police Department?

13 MR. BLANCHARD: Objection. Go ahead.

14 MR. MANCE: You know -- what is the objection?

15 MR. BLANCHARD: Objection to the form and,
16 also, because it calls for speculation, but go ahead.

17 MR. MANCE: I'm just asking if he's aware.

18 THE WITNESS: There's plenty of large
19 trafficking -- heroin trafficking cases that we've had on
20 the Raleigh Police Department, much more than this
21 informant ever got combined.

22 BY MR. MANCE:

23 Q. Did detectives believe they needed to complete
24 a certain number of investigations and identify a certain
25 number of suspects per year in order to get a positive

1 performance review?

2 A. No.

3 Q. I'm going to reference Exhibit F and Exhibit G
4 here in this next question.

5 (Exhibit F and Exhibit G were identified.)

6 BY MR. MANCE:

7 Q. Would you agree that the annual performance
8 review that you conducted of Detective Abdullah in 2020,
9 a month after the raid, which he also had an opportunity
10 to review, identified one of his employee goals as,
11 quote, "Conduct 4 to 5 street level/short-term
12 investigations per quarter involving low level drug
13 traffickers or habitual felons in order to cultivate
14 confidential sources onto mid to high level drug
15 traffickers," end quote, and that it identified another
16 goal as, quote, "Conduct 1 to 2 mid to long-term drug
17 investigations, high-value targets or criminal
18 organizations per year."

19 Would you agree that his written performance
20 review identifies both of those as employee goals?

21 MR. BENSON: Objection to form.

22 THE WITNESS: Yes.

23 BY MR. MANCE:

24 Q. Who came up with those employee goals of 4 to 5
25 street-level folks and 1 to 2 high-value targets?

1 A. It's just basically boilerplate stuff that's on
2 most anybody -- all the drug guys' performance
3 evaluations.

4 Q. I'm going to ask the question again. Who came
5 up with those goals?

6 A. I don't know.

7 Q. Was Lieutenant Bunch aware that that was part
8 of the performance evaluation?

9 A. Yes.

10 Q. Did you always give Detective Abdullah positive
11 performance reviews?

12 A. Yes.

13 Q. If Detective Abdullah had completed less than 4
14 to 5 street-level operations per quarter and less than
15 two long-term investigation of high-value targets per
16 year, would you have been as likely to give him a
17 positive performance review?

18 A. Yes.

19 Q. Okay. I want to turn now and ask some
20 questions about various detective statements to IA
21 investigators during the inquiry into Detective Abdullah.
22 Detective Abdullah told Internal Affairs that you advised
23 him not to file charges against Dennis Williams'
24 girlfriend after he threatened to charge her on account
25 of her texting him saying that his work with Dennis was

1 endangering her and her child and saying she was going to
2 blow the whistle on him. Do you remember that?

3 MR. BLANCHARD: What are you talking about in
4 that? There's a whole lot of parts. Does he remember
5 what?

6 MR. MANCE: I asked him, "Do you remember --"
7 okay. I'll try to break it down.

8 BY MR. MANCE:

9 Q. Do you remember advising Abdullah not to file
10 charges against Dennis Williams' girlfriend?

11 A. I remember a conversation related to that
12 topic. I don't remember the specifics of what I told him
13 or didn't tell him to do.

14 Q. Do you remember -- were you aware that she
15 claimed that she was being threatened?

16 A. No.

17 Q. Were you aware that she had texted Detective
18 Abdullah?

19 A. Yes.

20 Q. And were you aware that those texts were what
21 prompted him to contemplate taking charges out against
22 her?

23 A. I remember him basically saying that she was --
24 she was somewhat threatening Abdullah because she was
25 upset with her boyfriend or Aspirin being involved in

1 these cases, and she felt that it was endangering her
2 when it was something along those lines.

3 Q. Endangering her?

4 A. Right.

5 Q. And also endangering her child?

6 A. Right.

7 Q. And to your knowledge, did you ever ask
8 Detective Abdullah to see those text messages?

9 A. No.

10 Q. Did you inquire into her safety?

11 A. No.

12 Q. And just to be clear, were you aware that she
13 was saying that gang members were threatening her and her
14 children -- her child's life?

15 A. No.

16 Q. To your knowledge, was this the same lady
17 who -- the same lady who asked for help, is she the same
18 woman who he stabbed later that year?

19 A. I don't know.

20 Q. I'm going to reference Exhibit H, page 62.

21 (Exhibit H was identified for the record.)

22 BY MR. MANCE:

23 Q. Detective Abdullah made repeated reference to
24 your evaluations of him. In his IA defense, he said he,
25 quote, believed you, Rolfe, "did give me an accurate

1 evaluation." Do you agree?

2 MR. BENSON: Objection to form.

3 THE WITNESS: Yes.

4 BY MR. MANCE:

5 Q. I'm going to read some statements from the IA
6 investigator to Detective Abdullah and I want you to tell
7 me if you have any reason to dispute the accuracy of what
8 he said. These are located on pages 63 to 67 of
9 Detective Abdullah's interview with IA. This is H, pages
10 63 to 67.

11 Quote, "So let me explain --" and this is the
12 IA investigator speaking. Quote, "So let me explain
13 something to you about the buy videos. There's no
14 recording of a buy. There's no audio. There's typically
15 no audio of a buy occurring. And I'm talking generally.
16 Maybe there was one, one I can think of that happened
17 outside of a gas station where they went inside of a
18 bathroom and made the purchase. That is probably by far
19 the best video that you ever presented in these 11 cases.

20 "All that does is show the defendant's face for
21 like two seconds. You don't see a transaction. They're
22 just in a bathroom together. There's no video. There's
23 just footage to support any -- there's just no footage to
24 support anything that you're putting in these reports.

25 "It would have been great to actually have a

1 video of an actual drug transaction occurring. Out of
2 these 11 heroin cases and multiple buys, it would have
3 been great to have just one."

4 MR. BLANCHARD: That's not in our --

5 MR. BENSON: It's missing from the binder.

6 MR. BLANCHARD: It's not in our version of it.

7 MR. MANCE: Are you looking under the H tab?

8 MR. BLANCHARD: Uh-huh.

9 MS. KIBLER: Yes.

10 MR. BENSON: Yes. We're missing --

11 MR. BLANCHARD: Yeah, you skipped from 63 to
12 67. But, I mean, if you've got questions to ask him --

13 MR. MANCE: Well, I don't know -- that could
14 have just been like gotten lost in the copy machine.

15 MR. BLANCHARD: It's okay.

16 MR. MANCE: Well, I represent that that is what
17 the -- that is what he said.

18 MR. BLANCHARD: And to clarify, you're asking
19 if he agrees with what the IA investigator said or agrees
20 that the IA investigator said it? What exactly is the
21 question?

22 BY MR. MANCE:

23 Q. My question is, do you have any reason to
24 dispute that characterization of what the investigator
25 said the videos show or do not show?

1 MR. BENSON: Objection to form.

2 MR. BLANCHARD: Objection to form.

3 THE WITNESS: I don't have any knowledge of
4 what was -- I don't have any specific knowledge of what
5 was on any of the audio or video recordings. That was
6 the responsibility of the detective to determine that
7 there was sufficient video and audio evidence to satisfy
8 prosecution by the DA's office.

9 BY MR. MANCE:

10 Q. Okay. So Abdullah responded to that statement
11 and this is what he said. He said, quote, "I would love
12 that, too. You've got to keep in mind that when we're
13 doing these buys and takedowns, I'm not doing it by
14 myself. Okay. You have other guys in the unit that are
15 helping. My supervisor helps me a lot. He's there as
16 well. I just want to make sure that's clear and that's
17 reflected."

18 So Abdullah is saying, yes, none of these
19 videos show anything, but he's saying he didn't realize
20 the lack of video was an issue because you were right
21 there with him. Is he being truthful?

22 MR. BENSON: Objection to form.

23 MR. BLANCHARD: Objection to form.

24 THE WITNESS: So what he's saying here, there's
25 a couple of different audio and video devices that are

1 used. There's a phone app, which was mentioned earlier,
2 the 1021 app, so it's an app that's embedded on a
3 cellphone that the informant has, live audio so you can
4 hear what's going on, and then there could be a secondary
5 recording device. It might be a camera inside of a hat
6 or a shirt button or something along those lines that
7 records on a USB device that is downloaded later that is
8 not -- nobody's privy to that during the actual deal.

9 What he's referring to is the 1021 app, which
10 is a live audio feed that you can listen -- kind of
11 listen to what's going on inside the vehicle. You might
12 not necessarily be watching what's going on inside the
13 vehicle, but it just kind of gives you the ability to
14 hear what's going on.

15 And of all these cases, these were kind of open
16 air where the informant was inside of a vehicle, so we're
17 not necessarily keyed in looking at a feed on a phone.
18 We're watching a car, a transaction occurring in a car,
19 at the same time utilizing that audio, waiting to hear
20 either a takedown signal, which is indication that the
21 deal had been done, and then you have tactical teams and
22 et cetera that are ready to pounce out and make the
23 arrest.

24 So what he's referring to is the -- in my
25 opinion, what he's referring to is the 1021 app, which is

1 a live audio, and also referring to us just visually
2 seeing the car, knowing he's inside the car waiting for
3 those signals to make the arrest.

4 Q. You told Internal Affairs -- this is at I,
5 page 17 -- "I'm there to listen and do overwatch and to
6 be able to respond in the event that something goes bad.
7 I'm monitoring the radio. I'm monitoring our audio
8 device. If I see something that's being missed, I'll
9 interject that."

10 (Exhibit I was identified for the record.)

11 BY MR. MANCE:

12 Q. Is that an accurate description of your
13 involvement in these operations that we're discussing?

14 A. Yes.

15 Q. Okay. I want to turn to a separate interview
16 that Detective Abdullah gave the IA. This is Exhibit J.

17 (Exhibit J was identified for the record.)

18 BY MR. MANCE:

19 Q. This occurred on August 25th, 2020, and this
20 was with Sergeant Davis. And I'm going to be asking
21 about a statement on page 8 and 9.

22 Sergeant Davis has asked Detective Abdullah
23 whether it was possible that the CIs could have
24 contraband hidden on their person, and Detective Abdullah
25 responds, quote, "We're not strip searching them." He

1 says, quote -- and that's a direct quote, "We're not
2 strip searching them."

3 He then says, quote, "There's not a 100 percent
4 chance," quote, that that won't happen. Quote, "To be
5 honest with you, you know, we're not asking them to bend
6 over. We do a pat down. We also have -- what I do is
7 have them turn their pockets inside out. I'll just do a
8 quick pat down of their outer clothing. I'm not going to
9 stick my hands in their pants or anything like that."

10 MS. KIBLER: Object to form.

11 MR. MANCE: I haven't even asked the question.

12 MS. KIBLER: Just letting you know it doesn't
13 look like what you said is directly --

14 MR. MANCE: So we can -- why don't we look at
15 it, because I think it is and I think I just am -- I'm
16 not paraphrasing. I'm reading all direct quotes, but I'm
17 omitting "ums" "ahs," things in between, and you're
18 welcome to go back and, you know, address that. I think
19 the words I read were what he said.

20 MR. BENSON: If you're going to paraphrase and
21 attribute that to --

22 MR. MANCE: I'm not paraphrasing.

23 MR. BENSON: I couldn't find where you were
24 reading from.

25 MS. KIBLER: And there are pieces where you

1 skipped words.

2 MR. BENSON: Yeah.

3 MS. KIBLER: So I just want to put that on the
4 record so you're aware of it, and that is all I need to
5 do.

6 MR. BENSON: Same.

7 MR. MANCE: Okay. And just to be clear, I did
8 not mean to say "paraphrase," because "paraphrase" means
9 you're putting other people's words and your words. I
10 was not doing that. I was reading all statements from
11 the witness. There were some spaces where I kind of
12 hopped around on that page, but I tried to highlight
13 where I am so you can follow along.

14 BY MR. MANCE:

15 Q. Okay. Were you aware that when Detective
16 Abdullah was doing pre-buy searches of CIs, that his
17 practice was to do a quick pat-down and then ask people
18 to turn their pockets out?

19 A. That's standard practice, yes.

20 Q. Is that how officers are trained to do it?

21 A. Yes.

22 Q. And that's consistent with department policy?

23 A. Yes.

24 Q. In that same interview, Detective Abdullah
25 said -- this is at J-13 -- "Some of our best CIs are

1 going to have extensive criminal histories."

2 Sergeant Davis asked him if he would be
3 concerned if that, quote, "extensive criminal history"
4 included -- and then I put in brackets "crimes" and
5 brackets of "deception if they have charges like larceny
6 or fraud or stuff like that," end quote.

7 Abdullah responded, quote, "I don't worry so
8 much about that." Detective Rattelade told IA, quote,
9 "Typically, we try to shy away from CIs that are involved
10 in anything involving any -- anything kind of involving
11 theft or deception," end quote. That's at E-11.

12 A. Okay. Hold on.

13 Q. And my question is, do you agree with Abdullah
14 or Rattelade?

15 MR. BENSON: Objection to form.

16 MS. POOLE: Objection.

17 MR. BLANCHARD: I'm going to object to form,
18 too.

19 THE WITNESS: So informants, in nature, are --
20 you know, almost all of them are criminals. They're all
21 manipulators. They're -- it's just the nature of the
22 beast that they're in the position where they're working
23 for the police for a reason, an ability to make money and
24 other ways or just to capitalize on that sort of
25 behavior, so it's not uncommon for almost all informants

1 to have criminal backgrounds. So I wouldn't say that it
2 was -- I guess both Abdullah and Rattelade points were
3 valid in their own right, I would say, but it's not
4 uncommon. All informants are mostly criminals.

5 BY MR. MANCE:

6 Q. So one seems to say, "That would be an issue
7 for me." And the other seems to say, "It wouldn't."
8 What was your perspective when you were the sergeant
9 about if a history of theft, larceny, charges involving
10 deception would be disqualifying --

11 A. My perspective would be --

12 MR. BENSON: Objection to form. Sorry.

13 THE WITNESS: My perspective would be if the
14 packet was forwarded to our Drugs and Vice lieutenant for
15 approval and all of his criminal background was included
16 in those packets, which they were, and he was approved to
17 work, it would be on a case-by-case basis and it's the
18 individual detective's decision whether or not they were
19 going to use that informant. And if they didn't want to
20 use him, they would not have brought the packet forward,
21 most likely.

22 BY MR. MANCE:

23 Q. Sergeant Davis also asked Detective Abdullah --
24 this is H-14 -- quote, "When they go --" and the "they"
25 here is the CIs. "When they go and purchase the drugs,

1 how many times do you do a qualifying buy before you can
2 label them as reliable," end quote.

3 Detective Abdullah responded, quote, "I would
4 do one, one time," end quote.

5 Is that answer correct? Are officers
6 instructed that they may qualify someone as reliable with
7 a single drug purchase?

8 A. Yes.

9 MR. BENSON: Objection to form. Where is H-14?

10 MR. BLANCHARD: Yeah. We don't have H-14.

11 MR. MANCE: So the 14 refers to the -- oh,
12 you're right. It will be in here, then. Do y'all want
13 to see it?

14 MR. BENSON: I've already stated my objection.

15 MS. POOLE: Yes. I mean -- I'm okay right now.

16 BY MR. MANCE:

17 Q. How many purchases were necessary before
18 detectives could qualify a CI as reliable?

19 A. One. One.

20 Q. It is one. In that interview, Detective
21 Abdullah described to Sergeant Davis the process of
22 writing up the paperwork associated with a search
23 warrant. This is at J-25.

24 One of the things that he says is they ask the
25 CIs, quote, "Was there any women inside the apartment?

1 Was there any children? If there's any elderly, if
2 there's any women, children, dogs, anything like that,"
3 and there's an ellipsis here, "I'm putting it on the
4 board during my briefing for a search warrant. That's
5 something they need to know, so that way, they can do the
6 job safely."

7 Do you agree with that statement?

8 MR. BENSON: Object to form.

9 BY MR. MANCE:

10 Q. All right. I'm going to withdraw that
11 question. Should search warrant briefings include the
12 type of information Detective Abdullah described?

13 MS. KIBLER: Object to form.

14 THE WITNESS: What that is, is those -- those
15 references to elderly, children, dogs, et cetera, those
16 are questions that are on our tactical raid plan, so
17 basically our tactical units want to know the answers to
18 those questions for their safety when doing search
19 warrants, et cetera, so that is a reference to those
20 qualifying questions that are included in every search
21 warrant, just for the benefit of the tactical operators.

22 BY MR. MANCE:

23 Q. Are you aware of any documents generated by
24 Detective Abdullah relating to the search aimed at Marcus
25 VanIrvin that made any mention of the women or children

1 plaintiffs in this case?

2 A. No.

3 Q. In that same interview -- this is at H-33 --
4 Detective Abdullah describes Dennis Williams, the
5 informant, as, quote, "a Blood gang member, a Billy," end
6 quote.

7 Were you aware that the Raleigh Police
8 Department was paying cash to a member of the Blood
9 street gang to facilitate these arrests?

10 A. Yes.

11 Q. Does the department routinely employ gang
12 members as confidential informants?

13 A. Yes.

14 Q. The answer is yes?

15 A. (Witness nods head.)

16 Q. Sergeant Davis asked Detective Abdullah about
17 the CCBI sending your unit the results of drug tests of
18 purported heroin purchased by Dennis Williams and that
19 this test result was received on February 25th, 2020.
20 That's at J-60.

21 He said the results were, quote, "not heroin,
22 not heroin, not heroin. That's three cases, three tests,
23 all not heroin. Do you have any red flags," end quote.

24 Abdullah responded that it, quote, "went
25 back --" it went, quote, "back to the drug dealer," end

1 quote.

2 A. I don't know.

3 Q. Do you remember this?

4 A. No.

5 Q. If you had been aware of it, would that seem a
6 probable explanation to you, as the sergeant of a drug
7 unit, that three negative tests indicated that the
8 witness -- that the CI was ripped off by three different
9 dealers?

10 A. We don't -- by policy, we don't test, field
11 test drugs in the police department because of the threat
12 of fentanyl; and, moreover, most drugs that are sold as
13 heroin today are fentanyl, which would not come back in a
14 positive fashion for heroin, so there's no indication
15 that there wasn't possibly another active ingredient
16 other than heroin.

17 Q. Do you believe that the substances that were
18 seized in the arrests involving the men who got the
19 settlement with the City who were arrested behind this --
20 do you believe that those substances were fentanyl?

21 A. Well, now, having -- you know, the full
22 investigation having occurred and being aware of what was
23 speculated to have happened, I don't believe it, but at
24 the time it could have been believable.

25 Q. Sergeant Davis asked Detective Abdullah -- this

1 is at J-80 -- quote, "Do you know how much money Dennis
2 Williams made, roughly," end quote.

3 Abdullah responded, quote, "No, I have no idea
4 how much he made, roughly," end quote.

5 Do you know how much money Dennis Williams
6 made, roughly?

7 A. No.

8 Q. Were you aware that Dennis -- excuse me. Were
9 you aware that Detective Abdullah said that he had
10 reservations about Dennis Williams' trustworthiness on
11 the day of the raid of my clients' homes just a few hours
12 before?

13 MR. BLANCHARD: Objection to form.

14 THE WITNESS: No.

15 BY MR. MANCE:

16 Q. As a sergeant of a drug unit, if one of your
17 detectives expresses reservations about the honesty of
18 their CI, would you permit them later that day to seek a
19 search warrant on that CI's word?

20 A. No. And are we talking about the case where I
21 wasn't here and had no involvement?

22 Q. I'm just asking, sir, if you had been there. I
23 understand you weren't there.

24 A. No.

25 Q. Detective Abdullah told Sergeant Davis that

1 during the VanIrvin buy, Williams zipped up his jacket in
2 a way that convinced Abdullah that Williams was, quote,
3 "trying to conceal something," end quote. That's at
4 J-95.

5 Abdullah said that he reprimanded Williams and
6 told him directly that, quote, "When you do that, you
7 bring suspicion into the case. You can't do crap like
8 that. You're manipulating the video," end quote.

9 Is it your testimony that you were not aware
10 that that conversation occurred prior to today?

11 A. Yes.

12 Q. Is that the sort of information that Detective
13 Abdullah should have told the judge?

14 A. What judge?

15 Q. Who he sought a search warrant for.

16 A. I'm going to answer to his -- not knowing the
17 background of that scenario, what that conversation was,
18 I wouldn't answer to what his -- what he should have
19 provided the judge. If you can rephrase it in a
20 different way, I might be able to answer it.

21 Q. Sure. If a detective has misgivings about the
22 honesty of a CI upon who he's relying, and those
23 misgivings are strong enough that he has verbally stated
24 them out loud, is that the sort of thing that a judge
25 should be made aware of by that detective if the

1 detective is going to seek a search warrant on the basis
2 of that CI's word?

3 A. I would say no because -- so as a handler of an
4 informant, it's almost like a parent/child type
5 relationship in some aspects. You know, the informant,
6 (A) Wants the money from the police department for
7 completing the buy, would be more than happy if there
8 weren't enough evidence to prosecute where he wouldn't
9 have to go to court to testify or that sort of thing, so
10 they're going to play the boundaries as much as they can
11 if they can get away with it.

12 Now, that doesn't necessarily mean that the
13 informant is no good or shouldn't be used, but it's an
14 indication that Detective Abdullah was addressing a
15 behavior that he felt was detrimental to a good case. It
16 doesn't necessarily mean that he would be feeling like
17 this informant is not capable of completing the task or
18 isn't still a good informant to use. It's almost like a
19 corrective behavior with a child. As long as the child
20 or CI, you know, correctly changes those behaviors
21 doesn't necessarily mean that the informant is not
22 someone that we'd continue to use.

23 Q. Okay. I want to just spend another minute on
24 this. So Detective Abdullah told Internal Affairs on the
25 day that he sought the search warrant that led to my

1 clients' homes, he said, "I caught him," quote, "trying
2 to conceal something." And he was referring to the
3 camera, and this was now, you know, more than a dozen
4 operations in. There would have many discussions of the
5 camera at this point.

6 MR. BLANCHARD: Objection to the form.

7 MR. BENSON: Same.

8 MR. MANCE: I have to get my question out
9 first.

10 MR. BLANCHARD: When you're done testifying, go
11 ahead.

12 BY MR. MANCE:

13 Q. Okay. So it's your testimony that if Detective
14 Abdullah caught Dennis Williams trying to conceal
15 something earlier that day, that it would not be your
16 expectation that he should share that with the judge?

17 MR. BLANCHARD: Objection to the form. I think
18 he testified that he wasn't present, also, at that --

19 MR. MANCE: But he --

20 BY MR. MANCE:

21 Q. I'm asking about as the supervisor who's
22 responsible for making sure his detectives do the right
23 thing, would it be the right thing, in your view as a
24 sergeant, to withhold that information from the judge?

25 MS. KIBLER: Object to form.

1 THE WITNESS: So when you're presenting a
2 search warrant to the judge, it's a totality of the
3 circumstances. It's information that you provide to them
4 and then the judge determines whether or not you have
5 probable cause to obtain the search warrant in the form
6 that you're asking. I was answering in the generality
7 of, you know, how you would handle that type of --
8 something that he picked up on in concealing or what have
9 you.

10 And the specifics of that particular incident,
11 which I was not privy to, wasn't present. I was in
12 another -- on vacation. I wouldn't give an opinion on
13 what Abdullah should have included or not included in
14 this search warrant affidavit.

15 BY MR. MANCE:

16 Q. Fair enough. Are you aware that Detective
17 Abdullah was found by IA to have violated a policy
18 against seeking a search warrant without a sergeant's
19 approval?

20 A. Yes.

21 Q. Are you aware he was found to have violated a
22 policy about using in excess of \$400 in an operation
23 without approval?

24 A. Yes.

25 Q. If you had been in town, would you have been

1 the person typically to give approval to those requests?

2 A. Yes.

3 Q. Why would Detective Abdullah be cavalier about
4 breaking those policies?

5 MR. BENSON: Objection.

6 MR. BLANCHARD: Objection.

7 BY MR. MANCE:

8 Q. Why would Detective -- question withdrawn. Why
9 would Detective Abdullah believe that he could break
10 those policies?

11 MR. BENSON: Objection.

12 MR. BLANCHARD: Objection.

13 THE WITNESS: I don't have any opinion on what
14 Abdullah's thought process was or if he was even aware
15 that he was violating a policy.

16 BY MR. MANCE:

17 Q. Were you aware that detective Abdullah told
18 Sergeant Davis that even knowing all of the heroin turned
19 out to be fake, quote, "I would still feel comfortable
20 doing a buy with him," end quote. That's J-107.

21 A. No.

22 Q. Would you still feel comfortable doing a buy
23 with Dennis Williams?

24 A. After the fact, knowing what occurred, no, I
25 would not.

1 Q. Do you think Detective Abdullah shows good
2 judgment?

3 A. No.

4 Q. Sergeant Davis asked Detective Abdullah -- this
5 is J-111 -- quote, "Have you done anything different from
6 training," end quote. And Abdullah responded that he had
7 done what he was trained to do. Do you agree?

8 A. I wouldn't be able to share an opinion on that
9 because I don't know specifically what he was trained to
10 do.

11 Q. Did you have training responsibilities with
12 respect to Detective Abdullah?

13 A. No. He was trained by a seasoned drug
14 detective, almost like a training officer for a new
15 police officer.

16 Q. Do you know if Detective Abdullah knew how to
17 look up the lab results for drug tests of substances he
18 submitted to the CCBI during the time he was working for
19 you?

20 A. I don't know if he did or not.

21 Q. Is that the sort of thing a drug detective
22 needs to know how to do?

23 A. Yes.

24 Q. Okay. I'm going to now turn to -- did you at
25 any time direct Abdullah to look up the CCBI lab results?

1 A. No.

2 Q. Okay. I want to look now at some statements
3 that detectives made during the IA inquiry into the
4 complaint against you and ask you about some of the
5 things that the detectives said in the course of your
6 case. And I know you wrote an appeal on this case, so
7 I'm assuming you've seen these before.

8 Detectives Gwinn and Rattelade told Internal
9 Affairs that you did not typically watch buy videos after
10 arrests. That's L-13 and M-10.

11 (Exhibit L and Exhibit M were identified.)

12 BY MR. MANCE:

13 Q. Is that true?

14 A. Yes.

15 Q. Detective Gwinn told IA, quote, "When I got
16 there --" and this would have been in March '20 -- "I
17 think the first week there were doubts about Aspirin from
18 other detectives," end quote.

19 Do you recall concerns being openly expressed
20 about Aspirin in March 2020?

21 A. I don't know specific to the time, but I do
22 remember concerns about the CI Aspirin.

23 Q. Do you recall those concerns being discussed at
24 least a month prior to the May 2020 raid?

25 A. Yes.

1 Q. Okay. Detective Gwinn said Sergeant Rolfe was,
2 quote, "aware of those doubts that," bracket, "his," end
3 bracket, "co-detectives had." That's Gwinn, L-16.

4 "Detective Rattelade told IA," quote, "it was
5 pretty common to speak negatively about the informant
6 Aspirin," end quote, and that you were present for those
7 remarks. That's M-13. Is that accurate?

8 A. I don't know specific on -- you know, if I were
9 present at every instance that people would talk
10 negatively about him, but I was privy to a few instances
11 that people were griping about the CI, yes.

12 Q. Detectives Gwinn and Rattelade at L-17 and M-13
13 made statements to the effect that you had a
14 responsibility to look into the situation with Dennis
15 Williams. Do you believe you had that responsibility?

16 MR. BLANCHARD: Object to the form.

17 MR. BENSON: Objection.

18 THE WITNESS: Yes, and as mentioned in the --
19 probably a little further down into this investigation,
20 as I was supervisor of multiple detectives, including
21 Detective Rattelade, Gwinn, Gay, Monroe, Abdullah, there
22 were personality conflicts among the squad between
23 Detective Abdullah and the remaining detectives, so there
24 was tendency for these other detectives to kind of be
25 more vocal about Abdullah's CI because of the personality

1 conflicts among the squad.

2 So as I was continuing on doing my job and it
3 was -- I was evaluating the situation with Aspirin and
4 the doubts with Aspirin, and I was also weighing to
5 myself whether or not this was more, "Hey, I don't like
6 Detective Abdullah, nor his CI," or if there were actual
7 credible issues with the informant.

8 Q. Detective Gwinn describes your management style
9 as, quote, "Very hands off. He trusted his detectives to
10 do the work," end quote. Do you agree with that?

11 A. Yes. Well, let me retract that. My leadership
12 style was hands off in that I could trust the detectives
13 to do their job because, you know, you're not promoted to
14 detective or assigned to a drug team unless you have a
15 certain skill set and a certain ability to conduct
16 yourself; therefore, you don't need to be hand held.
17 It's not to say that I was laissez-faire or, you know,
18 asleep at the wheel as far as their supervision. It just
19 meant that these detectives were seasoned. They knew how
20 to do their job, so they didn't need me to hold their
21 hand and be overbearing or micromanaging on their cases.

22 Q. I noticed in your recent performance reviews,
23 you were found to have exceeded expectations with respect
24 to developing employees, and they had added a note about
25 your work assisting detectives in developing informants

1 and you got your highest marks for that. Would you say
2 you were more hands on than the typical sergeant at RPD?

3 MS. KIBLER: Object to form.

4 THE WITNESS: I would say for the most part,
5 all our supervisors here on the police department are
6 very good, and I would categorize myself as the same.

7 BY MR. MANCE:

8 Q. Getting back to the IA interviews, Detective
9 Gwinn also said with respect to Dennis Williams and the
10 issues with him that Rolfe, quote, "didn't proactively
11 try and address any of the issues that were brought to
12 his attention," end quote. That's at L-023. In your
13 view, is that an accurate statement?

14 A. That is inaccurate, so, you know, this is a new
15 detective, the newest detective on the squad, not being
16 privy to what I may or may not have been discussing with
17 my supervisors, what I may or may not have been paying
18 attention to on my own in regards to the CIs. So I
19 would -- I would categorize that as his uneducated
20 opinion on what his observations were and what he was not
21 aware of.

22 Q. Detective Rattelade, at M-15, said, quote, "I
23 was pretty suspicious of," bracket, Dennis Williams,
24 talking about the informant. He said, quote, "The fact
25 that he was arrested under the circumstances that he was

1 arrested, for selling fake drugs, should've been a red
2 flag for close monitoring." Do you agree?

3 A. I don't 100 percent agree with that. It's not
4 uncommon for people to sell fake drugs. I would say
5 that, you know, this particular informant would not be
6 the only informant that we had utilized and I don't have
7 the specifics, other comparisons, but I would say
8 certainly something to keep an eye on, but I would not
9 consider that necessarily a huge red flag that would
10 require extensive monitoring, no.

11 Q. Detective Rattelade -- this is also on 15 and,
12 also, onto 16 of M -- said he, quote, "informed Sergeant
13 Rolfe while Aspirin was still being used of the
14 suspicions," end quote, but that you didn't seem to do
15 anything with that information, quote, "because the
16 purchases continued occurring." Is that accurate?

17 MS. POOLE: Objection to form.

18 MR. BLANCHARD: Objection.

19 THE WITNESS: I would say that it just goes
20 back to the same exact thing that I described with
21 Detective Gwinn, of him not being fully aware. You know,
22 as a supervisor, you don't necessarily make your
23 employees privy to everything that you may be doing to
24 monitor those concerns.

25 BY MR. MANCE:

1 Q. What's steps were you taking to monitor the
2 situation with Dennis?

3 A. So what I was doing was basically trying to
4 judge whether or not this is just kind of inter-squad
5 squabbles. You know, Detective Abdullah was kind of a
6 loner of the squad. He was somewhat antisocial. He
7 didn't care to take any advice of his peers, so he was
8 often, in my opinion, maybe tolerated for, you know,
9 pessimistic opinions and that sort of thing about his
10 handling of the CI.

11 So basically what I was doing was, on my own,
12 monitoring the transactions, monitoring the activity of
13 the CI as best I could when we were out making the buys
14 and trying to determine whether or not this is just kind
15 of a hate parade on Detective Abdullah, just because the
16 other detectives didn't like him or if there was any
17 substantial validity to the comments. And I didn't find
18 that, other than just other detectives not necessarily
19 liking the way that Aspirin operated, that he was doing
20 anything outside of what anyone else was doing.

21 Q. Did you ever tell any of your detectives to
22 stop working with the CI?

23 A. No.

24 Q. Detective Rattelade said, quote, "Abdullah was
25 in my opinion treated differently than the rest of us as

1 far as not being reprimanded for stuff that he should
2 have been reprimanded for," end quote. That's at M-19.
3 Did you treat Detective Abdullah differently or with a
4 lighter touch than you did other detectives?

5 A. No.

6 Q. Detective Rattelade said that he had a,
7 quote -- this is at M-20 -- "firm belief that Williams
8 was purchasing marijuana from suspects, either hiding or
9 discarding the marijuana," and then ellipses, "handing
10 off fake heroin to Detective Abdullah and claiming to
11 have purchased that drug from the suspects." Do you
12 believe that's what was happening?

13 MR. BLANCHARD: Objection to the form, and the
14 reason I objected is I'm trying to figure out whether
15 you're asking about after the fact or at the time.

16 MR. MANCE: I'm asking after the fact.

17 THE WITNESS: So in hindsight, you know, to my
18 knowledge -- and somebody correct me if I'm wrong -- I
19 don't think anybody has ever proven that that is what
20 occurred, plain speculation that -- and after long
21 Internal Affairs -- internal investigations, trying to
22 figure out what in the heck happened in these instances,
23 it was -- as far as I know, that was the speculation as
24 to how this ended up occurring. I don't have any
25 specific knowledge of any confirmation of that

1 information. This is just what was speculated, and we
2 had conversations toward the end of like how this
3 occurred because on its face, the bad guys were showing
4 up, a drug transaction was heard over our audio
5 equipment, and we were recovering our RPD-marked buy
6 money. So on its face, everything was as any other
7 normal drug buy would be.

8 We did have conversations later, in hindsight,
9 after, you know, you put the Monday morning quarterback
10 and microscope on it, that more than likely, that could
11 have been what was occurring. So I don't know if that
12 answered your question, but --

13 BY MR. MANCE:

14 Q. It does. Lieutenant Bunch told Internal
15 Affairs that Detective Monroe called him after the search
16 on my clients' homes and said, quote -- this is at O-6.

17 (Exhibit O was identified for the record.)

18 BY MR. MANCE:

19 Q. "Hey, sir, that search, it just didn't go
20 right. There was something just not right about it,"
21 ellipses. "He tells me some stuff and I called the SEU
22 team. I got two stories that weren't exactly the same.
23 One was that they had hit the target location and then
24 they searched two other places. In that second location,
25 they may not have had a good reason to knock on the

1 door."

2 Did you get different accounts of how the
3 searches transpired?

4 A. I wasn't here, so all I got was after the fact.

5 Q. After the fact, did you get different accounts
6 of how the searches unfolded?

7 A. I don't remember any specific different
8 accounts of how it unfolded. All I got was kind of a
9 combined conversation of what the detectives said had
10 occurred. I don't remember the specifics of what those
11 were.

12 Q. Was Lieutenant Bunch your supervisor?

13 A. Yes.

14 Q. IA asked Lieutenant Bunch, quote, "How
15 important it is to have a recording of the narcotics
16 transaction when dealing with undercover drug buys," end
17 quote. Lieutenant Bunch responded -- replies that it's,
18 quote, "It's mandatory," end quote. That's O-14. Do you
19 agree?

20 A. Can you back up? You were asking if it was
21 mandatory for what?

22 Q. Lieutenant Bunch answered the question, "How
23 important is it to have a recording of the narcotics
24 transaction when dealing with undercover buys?" And he
25 replied, "It's mandatory."

1 MS. KIBLER: Object to form.

2 BY MR. MANCE:

3 Q. I'm asking you if you agree.

4 MR. BENSON: Objection.

5 THE WITNESS: So the recordings of the drug
6 transactions are mandatory for prosecution in Wake
7 County. I don't know of a specific policy within the
8 police department that states you must have a audio or
9 video recording of a drug buy, but it has been the policy
10 of the Wake County DA's office that in order to prosecute
11 a drug case, you'd have to have prosecutable audio and
12 video to support your charge. So that's, I think, what
13 he may be referring to. I can't speak on his behalf, but
14 I think that's what he means.

15 BY MR. MANCE:

16 Q. Were the -- were the people who were arrested
17 in the heroin buys that were the subject of the prior
18 lawsuit, were they prosecuted by the Wake County District
19 Attorney's office?

20 A. I don't know if they all were. I know a lot of
21 it was dismissed after the fact, but, you know, that's
22 another thing that I think everyone is missing here, is
23 that ultimately it's the DA's office's decision to
24 prosecute a case or not, and when you file your felony
25 investigative report, you provide your probable cause and

1 it's ultimately their decision whether or not those
2 charges are made. If they were going outside of their
3 protocols of prosecuting cases without good audio and
4 video surveillance, that would be outside of my purview.

5 Q. When did you first notify Lieutenant Bunch
6 about the -- that there were buys taking place with
7 Aspirin?

8 A. I don't know of any specific need to have
9 notified him or I don't remember ever notifying him of
10 the buys. His job is to improve -- approve the informant
11 for use and beyond that point, he doesn't need to know or
12 want to know whether they're being used unless something
13 comes up in which they don't need to be used anymore.

14 Q. Lieutenant Bunch told IA, quote -- that you
15 had, quote, "Never mentioned anything about these buys
16 taking place with Aspirin," end quote, to him. That's at
17 O-15. He said that he learned about the potential issues
18 with Aspirin on either 21st or 22nd, following the raid
19 on my clients' homes. Does that sound correct to you
20 timeline-wise?

21 A. I would say so. You know, unless there's a
22 specific -- you don't go to your lieutenant with every
23 little squabble over an informant. We would have
24 hundreds of informants that we use, so unless there's
25 something specific to the point where the informant is

1 problematic to the point where he's no longer going to be
2 utilized, then you may go to Lieutenant Bunch and say,
3 "Hey, we no longer need to use this informant," for
4 example, but there would have been no reason to and I
5 don't recall any reason that I needed to inform
6 Lieutenant Bunch of the CI's use. There's hundreds of
7 CIs being used all the time, so that's not information
8 that he would have needed to know.

9 Q. Lieutenant Bunch told Internal Affairs -- this
10 is at O-18 -- that, quote, "Sergeant Rolfe should have
11 known or should have done something earlier on with these
12 cases," end quote, when there are repeated red flags. He
13 said as a sergeant, it was your responsibility to say,
14 quote, "Hey, Abdullah, you're not doing anything about
15 this, so now I have to do something." Is Lieutenant
16 Bunch correct that that that was your responsibility?

17 MR. BENSON: Object to form.

18 THE WITNESS: I would say it is the
19 supervisor's responsibility to, quote, "do something."
20 As I mentioned earlier in the conversation, I was still
21 evaluating whether or not these grumblings about Aspirin
22 were more of a inter-squad squabble or an actual problem.

23 BY MR. MANCE:

24 Q. Lieutenant Bunch was also asked by Internal
25 Affairs, quote, "If Sergeant Rolfe, if he was aware that

1 detectives were meeting with CIs by themselves, would
2 that be a violation of our policy," end quote.

3 Lieutenant Bunch said, "Yes." That's O-20. Is
4 Lieutenant Bunch correct that that was Raleigh PD's
5 policy?

6 A. Yes.

7 Q. So you were operating in violation of that
8 policy?

9 MR. BLANCHARD: Objection to the form.

10 BY MR. MANCE:

11 Q. Were you operating in violation of that policy?

12 A. So, and this also goes back to something that I
13 put in my appeal of practice versus policy, so there are
14 hundreds of policies that are on paper that are supposed
15 to be followed as a practice and are not, just basically
16 things that are day-to-day common practice that don't
17 necessarily align with paper policy. So in -- to answer
18 your question, yes, that was against policy and I was
19 aware it was against policy, but it was a common
20 practice, if that makes sense.

21 Q. So to be clear, you did not require detectives
22 under your supervision to always have at least two
23 officers present for CI meetings?

24 A. What I'll say on that is no, but with a
25 qualifier that in all initial meetings with CIs, there

1 are two detectives present. Any opposite sex informant,
2 there's two detectives present. The only time that I
3 knew that detectives were meeting with informants was
4 by -- were one-on-one where after a relationship with
5 these CIs have been established and everyone was
6 comfortable that the safety of the detective was okay, I
7 would allow them to -- for instance, after a takedown,
8 Detective Abdullah would go pick up Aspirin at a
9 predetermined location, just based on manpower issues.
10 We didn't have enough detectives to double up with
11 Abdullah, go pick him up, so there were instances where
12 policy was broken by detectives, meaning one-on-one, but
13 it wasn't just a common practice. It was an occasional
14 practice.

15 Q. Was it your responsibility to review all drug
16 reports?

17 A. No.

18 Q. Lieutenant Bunch told IA that it was Sergeant
19 Rolfe's responsibility to, quote, "review all drug
20 reports," end quote. That's O-25. Why would Lieutenant
21 Bunch say that?

22 A. Well, when you're saying "all," so I guess it
23 depends on what -- so there is a drug report queue, so
24 any drug-related report that occurs in the City of
25 Raleigh goes into a computer system. There's four drug

1 supervisors within the department. You go into the
2 queue. You pull up reports and you review reports, so it
3 wouldn't necessarily be accurate that I was responsible
4 for all reports because that was a shared responsibility.

5 Q. Did you review written reports about the facts
6 and circumstances around the arrest of the 15 people for
7 fake heroin prior to May 2020?

8 A. I can't -- I can't specify if I reviewed them
9 all, but I'm sure I reviewed a bulk of them.

10 Q. Were you aware that Detective Monroe field
11 tested the seizure from Curtis Logan at the Sheetz gas
12 station in March 2020 and got a negative result?

13 A. I don't know if that's the specific -- I had a
14 recollection of a negative field test, but I don't know
15 if that is specifically the one.

16 Q. Lieutenant Bunch, at O-28, said that you had
17 not told him about any field testing on substances seized
18 in operations in which Williams was involved; is that
19 correct?

20 A. I don't recall that.

21 Q. Detective Gay -- this is at P-13 -- said that
22 even as a new detective, she thought it was, quote,
23 "odd," end quote, that Detective Abdullah was making so
24 many, quote, "great cases," end quote, in a short period
25 of time and that he was doing it while working without

1 any other detectives.

2 (Exhibit P was identified for the record.)

3 BY MR. MANCE:

4 Q. Do you agree that it was odd to make that many
5 cases of that nature in that time frame?

6 A. Not necessarily. Like I said earlier, I
7 attributed his success to his gang affiliations.

8 Q. Detective Gay said that she became aware that
9 Williams was passing sugar off as heroin the day that
10 Detective Monroe tested it after the arrest at the Sheetz
11 gas station. She said that it prompted, quote -- this is
12 at P-15 -- "a whole conversation about," ellipses, "the
13 day -- the way that detective was a drug detective." So
14 this would have been the Curtis Logan incident. Were you
15 part of those conversations?

16 MR. BENSON: Objection, form.

17 THE WITNESS: I don't remember a specific
18 conversation regarding that specific case, no.

19 BY MR. MANCE:

20 Q. Detective Gay said later she thought it, quote,
21 "very odd," end quote, that someone would make 11 heroin
22 trafficking arrests in the span of time that Abdullah and
23 Williams did. That's at P-20. She said, quote -- this
24 is at P-22 -- "We had several conversations kind of among
25 the squad about how that seemed odd," end quote. Did

1 those conversations occur?

2 A. I don't know.

3 Q. Do you remember anything being expressed to
4 that effect?

5 A. I remember, like I said, kind of ongoing
6 grumblings about the informant. It's all kind of the
7 same things that I covered earlier.

8 Q. Detective Monroe told IA -- this is at Q-12 --
9 that many detectives would make, quote, "copies of the
10 buy videos and put them in our case jackets. We turned
11 our case jackets in," bracket, "to Sergeant Rolfe. He
12 has the same passcodes and access to that system," end
13 quote.

14 (Exhibit Q was identified for the record.)

15 BY MR. MANCE:

16 Q. Do you have the same passcodes and access to
17 that system, or did you at that time?

18 A. I don't know specifically. If you're talking
19 about like a reader to view disks, I don't know
20 specifically if I did or not, but it's possible.

21 Q. If you had wanted to see the videos, could you
22 have gotten access to them?

23 A. Yes.

24 Q. Monroe also said at Q-13 that you, quote, "had
25 the same access as all the detectives within the unit."

1 Is that correct?

2 A. In reference to what?

3 Q. To the videos, the buy videos.

4 A. Yes.

5 Q. Detective Rattelade, at E-16, described the
6 process of accessing video as, quote, "very simple," end
7 quote. Would you agree that it was very simple?

8 A. Yes.

9 Q. He also said, E-16, quote, "As soon as the
10 device is deactivated, it creates a file with the server
11 for the video server we use," end quote. Is that
12 correct?

13 A. Yes.

14 Q. Detective Rattelade, at E-16, also said, quote,
15 "If there were some questions that arose --" I'm going to
16 have an ellipses here -- "you can always go to the video
17 and review the video while you're making your charging
18 decisions. That is an option." Is that true?

19 A. Yes.

20 Q. I'm going to now reference E-19. Detective
21 Rattelade was asked if detectives needed to wait for the
22 DA's office to request a drug test for sending it to the
23 lab. He said no, that, quote, "if there's a suspicion as
24 to whether the drugs are real, we have the ability
25 because we have a good working relationship with the

1 district attorney's drug unit." Is that true?

2 A. They did have the ability to do so. However,
3 it was the policy of the Wake County DA's office that we
4 were not to test the drugs because, basically, they were
5 wasting a lot of resources, because it was the policy of
6 the DA's office to very quickly offer a plea agreement in
7 these cases, so they didn't want, basically, CCBI
8 backlogged with drug analysis requests when they were,
9 many times, completing pleas that would basically make
10 the need for that information not necessary, if that
11 makes sense.

12 Q. Going back, though, to the question, if there
13 was a suspicion as to whether the drugs were real, did
14 your detectives have the ability to get those tests done?

15 A. They had the ability, but it was the request of
16 the DA's office that they be the ones that requested the
17 analysis, so it would require the detective to get
18 approval from the DA's office for that.

19 Q. Okay. Was it -- was Detective Rattelade
20 incorrect when he said that you had a good working
21 relationship with the DA's office?

22 A. No, he was not -- that's not incorrect. Are
23 you asking if I had a good relationship or he had a good
24 relationship?

25 Q. Let me put it this way.

1 A. Everyone had a good relationship with the DA's
2 office.

3 Q. If there was a strong need to test a substance
4 because there were real suspicions as to whether or not
5 it was real, would you expect to meet resistance from the
6 DA's office --

7 A. No.

8 Q. -- in getting that tested?

9 A. No.

10 Q. Okay. At Q-18, Detective Monroe says that if
11 even two buys came back as fake drugs, he would not
12 charge cases from the CI involved without first testing
13 the substances. He said he would be -- that would make
14 him suspicious of his CI.

15 Do you agree with Detective Monroe that after
16 two buys come back with fake drugs, that the appropriate
17 thing to do is to have them tested before moving forward
18 with additional charges?

19 MR. BENSON: Objection, form.

20 MS. POOLE: Objection.

21 THE WITNESS: It's an opinion-based question on
22 what the detective -- Detective Monroe was thinking or
23 his thoughts were. You know, back to the point of, (A),
24 the DA's office asking us not to test drugs, the issue
25 regarding fentanyl being the most common active

1 ingredient of what is being sold as heroin, it wouldn't
2 necessarily be uncommon that a test comes back negative
3 for heroin and not still be another type of controlled
4 substance.

5 BY MR. MANCE:

6 Q. So this is Detective Monroe's sort of own
7 personal policy? This is not something you would have
8 directed him as a policy as supervisor?

9 A. It's just all case by case, but from what it
10 sounds like, you're asking me about the opinion of
11 Detective Monroe.

12 Q. As a supervisor of the vice unit, would you
13 agree that if two buys come back with fake drugs, that
14 the appropriate thing to do would be to have them tested
15 before moving forward with criminal charges related to
16 similar substances?

17 A. Yes, but it would be dependent upon -- you're
18 saying fake drugs, so I don't know if you -- when you're
19 saying "fake drugs," you're referring to a negative test
20 result for heroin or a no-controlled substances at all
21 located. There's no clarifier in there, so that's
22 difficult to answer that based on the facts that you're
23 providing.

24 Q. Let me clarify by saying no controlled
25 substances at all.

1 A. If it were no controlled substances at all, it
2 certainly would be something that would need to be
3 discussed moving forward, yes.

4 Q. Detective Monroe told IA regarding the seizure
5 from Curtis Logan, quote, "I did make it known to the
6 supervisor of our squad that it did not appear to be
7 heroin and that it did not test," meaning test positive,
8 end quote, in a field tests. That's R-5.

9 (Exhibit R was identified for the record.)

10 BY MR. MANCE:

11 Q. Do you recall Detective Monroe telling you
12 that?

13 A. I recall one instance where they field tested,
14 which we're not supposed to, and it did come back
15 negative for heroin. It doesn't necessarily mean it
16 wasn't something different.

17 Q. The amount of drugs that -- or the amount of
18 substance that you seized that day was more than 20
19 grams, which Detective Monroe said was significantly,
20 quote, "over what it was supposed to be," end quote,
21 meaning more than you all had ordered. That's at R-6.

22 That's more than five times the amount
23 necessary for a heroin trafficking charge. Did that
24 amount or the fact that it was more drugs than you had
25 ordered give you any pause?

1 MR. BENSON: Objection to form.

2 THE WITNESS: I wasn't here for this case, so I
3 wouldn't have any opinion on that.

4 BY MR. MANCE:

5 Q. Were you aware that your officers had arrested
6 Curtis Logan?

7 A. I'm not sure who is who, to be quite honest
8 with you. Which one is that?

9 Q. Would you expect to hear about a 20-plus gram
10 heroin arrest?

11 A. I did hear about it after the fact, yes.

12 Q. Do you recall how long after the fact you heard
13 about it?

14 A. Well, I was on vacation, so when I got back,
15 which was a couple days afterward.

16 Q. You were on vacation during the Curtis --

17 A. I don't know. I'm not sure which case we're
18 talking about here, like I just mentioned.

19 Q. Okay. So Curtis Logan was the incident at the
20 Sheetz in January of 2020, the Sheetz gas station, and
21 you signed a report, I believe, related to that. Do you
22 have a recollection of that incident?

23 A. I don't have specific recollection of that
24 incident, no.

25 Q. Was it common to make a 20-gram heroin purchase

1 on your unit?

2 A. No.

3 Q. Was it very uncommon?

4 A. I wouldn't say it would be very uncommon, but
5 it was not common, so I guess somewhere in the middle.

6 Q. If you had to estimate how many 20-gram plus
7 heroin purchases that your unit made in a calendar year,
8 what would be your guess?

9 A. Maybe one.

10 Q. So this -- okay. So sitting here today, you
11 don't have -- you can't recall the Curtis Logan --

12 A. No.

13 Q. -- incident? Okay. You told Internal
14 Affairs -- this is at S-8 -- that your unit paid extra
15 for trafficking cases; is that correct?

16 A. Yes.

17 (Exhibit S was identified for the record.)

18 BY MR. MANCE:

19 Q. And you told them that, quote, "The pay does
20 fluctuate based on what we recover," end quote. That's
21 S-8. That was your statement, correct?

22 A. Yes.

23 Q. So if someone produces more than 20 grams of
24 heroin, which is five times the trafficking amount, would
25 they expect to get paid more?

1 A. No. The going rate, I think, for a trafficking
2 case was \$200, unless it was some exorbitant amount more.
3 There could have been additional pay, but in general, it
4 was \$200 and then we paid a little more if there were
5 weapons, guns recovered and that sort of thing.

6 Q. Detective Monroe said he, quote -- excuse me.
7 Detective Monroe said he expected that you would have had
8 the same reaction to the Williams cases that he did. He
9 said, quote, "I would assume," bracket, "his reaction
10 would be like, 'Hey, let's time out here, like what's
11 happening, like why is this going on? We can't use this
12 person because we're ultimately responsible.'" That's at
13 Q-19.

14 Why did you not react that way?

15 MS. KIBLER: Object to the form.

16 THE WITNESS: I don't remember the specifics of
17 why I did or didn't react in any fashion related to that.

18 MR. BLANCHARD: Ian, when you get to a good
19 stopping point, can we take a break?

20 MR. MANCE: Yeah. We can do that now if you
21 want.

22 MR. BLANCHARD: Go ahead. I mean, if you've
23 got something --

24 MR. MANCE: We can stop there. I'm happy to
25 take a break. We want to do 10 minutes?

REED & ASSOCIATES

MATTHEWS, NORTH CAROLINA 980.339.3575

1 MR. BLANCHARD: Restroom break.

2 MR. MANCE: Okay. Sure.

3 (Recess from 11:50 a.m. to 12:08 p.m.)

4 BY MR. MANCE:

5 Q. This question is going to refer to Q-19.

6 Mr. Rolfe, Internal Affairs had asked Detective Monroe if
7 you had intervened -- I'm realizing this probably
8 connects to my previous question, so let me see what I
9 was asking.

10 Okay. This is -- we were discussing Detective
11 Monroe doing a field test on the -- during the Curtis
12 Logan arrest, and he -- I had asked you about whether he
13 told you about that field test.

14 Detective Monroe told Internal Affairs, when
15 asked if you had intervened, quote, "I can't say if he
16 spoke with Abdullah or not, but I know he was there and
17 he knew the frustration of the detectives that were
18 assisting the cases. They made it known that they were
19 frustrated with the way that the buys and the CI was
20 handling the situation."

21 Do you recall that conversation?

22 A. Yes.

23 Q. Did you know that detectives were frustrated?

24 A. Yes.

25 Q. And, specifically, did you know they were

1 frustrated with the CI, Aspirin?

2 A. Yes.

3 Q. And did you know they were frustrated with
4 aspects of Abdullah's handling of the CI, Aspirin?

5 A. Yes.

6 Q. Okay. Sergeant Monroe said there wasn't,
7 quote, "any doubt in his mind," end quote -- he said "my
8 mind," just to be accurate -- end quote, that Sergeant
9 Rolfe was aware that he had tested a large amount of what
10 turned out to be brown sugar following the Curtis Logan
11 arrest at the Sheetz. Were you aware it was brown sugar?

12 A. No.

13 Q. This is at Q-22. Monroe also said Sergeant
14 Rolfe was aware that he, meaning Detective Monroe, had
15 told Detective Abdullah, prior to Detective Abdullah
16 charging Logan with heroin trafficking, that the drugs
17 were fake.

18 Were you aware that Sergeant Monroe -- excuse
19 me, Detective Monroe had told Detective Abdullah these
20 are fake drugs prior to his filing charges?

21 MS. POOLE: Objection.

22 MR. BENSON: Objection.

23 MR. BLANCHARD: Objection.

24 BY MR. MANCE:

25 Q. Okay. Let me try to ask that again. Are you

1 aware of a conversation between Detectives Monroe and
2 Abdullah prior to Abdullah charging Curtis Logan?

3 A. No.

4 Q. Okay. Detective Monroe said, quote -- this is
5 at Q-24 and 25 -- quote, "To buy heroin in Raleigh loose
6 and get over 4 grams is not normal on a regular buy
7 because most drug dealers understand that 4 grams get you
8 trafficking." Do you agree with that statement?

9 A. Not necessarily. There's plenty of instances
10 you can buy a trafficking amount of heroin. They are
11 aware that it's trafficking, so sometimes they will try
12 to break it up in 3 grams and then come back later and
13 give you the other gram if they're savvy enough, but
14 there's plenty of instances that you could go out and buy
15 trafficking amounts of heroin.

16 Q. He also said on the same page, "Drug dealers
17 get really suspicious when you ask for a certain amount
18 of heroin because of the low-level trafficking weight."
19 Do you agree with that?

20 A. It's basically the same response on the
21 previous question, same exact thing.

22 Q. He also said -- this is on page 25 and 26 of
23 Q -- that heroin, quote, "wasn't a traditional Raleigh
24 drug. You had to go to Durham or Henderson." Is that
25 correct?

1 A. Way back, a long time ago, that would have been
2 accurate, but it's not anymore. Heroin -- real heroin
3 hit Raleigh in, you know, substantial amounts probably in
4 the mid -- early to mid 2000s, but prior to that, it was
5 Durham, Henderson, were the main sources of that.

6 Q. He also said -- and I believe this was in a
7 2020 interview. This is also Q-25. Referring to the
8 heroin trade in Raleigh, quote, "It's really only been
9 about the last three or four years," end quote, so that
10 would put it, I guess, 2017 and '18. Does that -- is
11 that correct?

12 A. It's just kind of an opinion-related question,
13 but it certainly has heated up. It transitioned from a
14 crack market to a heroin market in the more recent years,
15 yes.

16 Q. Monroe said multiple detectives brought
17 concerns to you prior to the raid on my clients' homes.
18 He said you were, quote, "informed by several detectives
19 that we didn't think he was a good CI, we didn't think he
20 was being handled appropriately, we thought Abdullah
21 wasn't handling properly, we made it known that we
22 disliked him as a CI." I think, actually, I already
23 asked you this question. But you recall those
24 conversations?

25 A. It's the same kind of thing.

1 Q. Why didn't you -- when you heard those
2 statements from the detectives that worked for you, why
3 did you not suspend Aspirin as a CI?

4 A. It goes back to the same reply that I had
5 earlier about weighing whether or not these were general
6 gripings or valid concerns, and I was still in the
7 process of determining that, so I didn't make any action.

8 Q. Do you think you have a high threshold for
9 suspending CIs?

10 A. Yes.

11 Q. Have you previously described CIs as inherently
12 unreliable and suspicious?

13 A. Probably. I don't know a specific instance,
14 but I would say that would be accurate.

15 Q. Detective Monroe said -- this is at Q-28 --
16 quote, "I know not one detective within our unit, if they
17 had the opportunity to, would have tried to work with
18 Aspirin on a case. None of us would have worked with
19 him. That's how we felt about him," end quote.

20 Is that how your whole unit, except for
21 Abdullah, felt about Aspirin?

22 MR. BENSON: Objection to form.

23 BY MR. MANCE:

24 Q. To your knowledge?

25 A. I would say, you know, it's all kind of beating

1 a dead horse here at this point, but it's -- a lot of
2 that is derived on the squad squabbles and just general
3 disdain with Abdullah, and anything associated with
4 Abdullah, in turn, would include this CI.

5 Q. Let me ask it another way. Do you believe your
6 detectives would want to work with Aspirin?

7 A. No.

8 Q. In the transcript of your appeal, I believe
9 it's on the final page, 16, you wrote that you were
10 willing to accept some discipline and you take
11 responsibility. What do you take responsibility for?

12 MR. BLANCHARD: Objection.

13 THE WITNESS: I think that was, basically, a --
14 based on the severity of the overall punishment, which
15 ended up being -- and I don't know if it was in this
16 instance or later on, ended up being a demotion. In
17 retro- -- or in hindsight, after having had the
18 opportunity of the long-term investigation and all the
19 things coming to light later, I would say that I could
20 have done a better job, in hindsight, having all the
21 information provided after, you know, the length of this
22 investigation. There were things that I could have done
23 better.

24 I fully admitted during the investigation that
25 there were policies that were violated. They were

1 violated because they were a practice that was -- had
2 gone on before I got there and the entire time that I had
3 been there, so, basically, I think what I was referring
4 to there, if I'm thinking of the same time, was I
5 wasn't -- I wasn't ever saying like, you know, I had done
6 everything perfect and there weren't some things that I
7 couldn't have done better, but based on the -- what I had
8 been given and based on, you know, the way I was trying
9 to maintain my squad and maintain their forward progress,
10 I guess I was just basically saying that there were
11 things that I could have improved on and I would be
12 willing to take some sort of discipline, but not --
13 didn't agree with the severity of what it was. I know
14 that's a lot of long-windedness, but --

15 BY MR. MANCE:

16 Q. Are there specific things that you would do
17 differently now?

18 A. Yes.

19 Q. And what are they?

20 A. It's just based on the lesson you learned of
21 the -- finding out later that -- or the speculation of
22 what had occurred that maybe a stronger eye on the
23 situation would have been warranted. Now, granted, that
24 was found after the fact. During the times of these
25 buys, you know, these were spread out over months, so it

1 wasn't a pattern that was necessarily picked up on at the
2 time, but I guess it would be, maybe, just a generalized
3 higher suspicion or a little more aggressively keeping
4 tabs on a CI when questions come about about their
5 reliability.

6 Q. What responsibility do you assign to Detective
7 Abdullah for what happened to you?

8 A. I don't necessarily assign any responsibility
9 on Abdullah. You know, the things that occurred to me
10 happened beyond anything that he had any involvement in.

11 Q. Do you believe Abdullah was always honest and
12 straightforward with you?

13 A. Yes.

14 Q. Do you think he reasonably conveyed to you all
15 the information you needed to know to make informed
16 judgments about how to run your unit?

17 A. I don't know what he did or didn't share. It's
18 not necessarily his responsibility to -- I actually don't
19 even really understand that question fully.

20 Q. Well, do you think Detective Abdullah gave you
21 the information you needed to be able to do your job the
22 way that you felt it should be done?

23 A. I don't really know what he knew, so I can't
24 really answer that.

25 Q. As a sergeant, do you rely on detectives to

1 give you information so that you can make decisions?

2 A. Yes.

3 Q. And is there an expectation that certain facts
4 are sufficiently serious that we have to tell the
5 sergeant?

6 A. Yes.

7 Q. Okay. So I guess going back to that same
8 question again, the question was, in light of everything
9 you know now about Williams, do you think that Abdullah
10 told you all the things he needed to tell you in order
11 for you to do the job the way it should have been done?

12 A. I don't know because I don't know what he knew.

13 Q. Is it possible in your mind that Detective
14 Abdullah misled you with respect to aspects of his work
15 with Williams?

16 A. I don't feel like he ever misled me. He may
17 not have been savvy enough to share what he needed to,
18 but I never got the feeling that he misled me.

19 Q. Is it accurate that you told Internal Affairs a
20 number of times that you had directed Abdullah to address
21 the camera situation with Williams?

22 A. Yes.

23 Q. And did you tell them that you had no reason to
24 believe that it had not been addressed?

25 A. Yes.

1 Q. But, in fact, it was not addressed; is that
2 right?

3 MR. BENSON: Objection.

4 THE WITNESS: I don't know.

5 BY MR. MANCE:

6 Q. Was it addressed?

7 A. It was addressed as far as my knowledge.

8 Q. But sitting here today, was it addressed?

9 A. Apparently not.

10 Q. And would you agree that, ultimately, that
11 contributed to the investigation against you?

12 A. Yes.

13 Q. Okay. You told the SBI investigator that you
14 expressed concerns about Williams to Abdullah maybe
15 around the 6th or 7th buy, and you specifically said you
16 addressed the issue with the camera being positioned
17 because it wasn't recording the transaction.

18 Mr. Schewel asked Detective Abdullah about that
19 in deposition and his statement, which is at B-69 and 70,
20 in response was, "It was surprising to me," end quote,
21 that you said that.

22 Why would Detective Abdullah express surprise
23 to hear that you told the SBI that you had had those
24 conversations with him?

25 MR. BENSON: Objection.

1 THE WITNESS: I have no idea.

2 BY MR. MANCE:

3 Q. We asked Detective Abdullah, quote, "Did
4 Sergeant Rolfe ever express concerns to you that Dennis
5 Williams was obscuring his buy camera," end quote. This
6 is at B-72.

7 And Abdullah replied, quote, "Sergeant Rolfe
8 did not direct that to me personally," end quote. Was he
9 being accurate?

10 A. No.

11 Q. We asked Detective Abdullah about statements
12 from Detective Monroe regarding his suspicions following
13 the arrest of Curtis Logan for the 20 grams of heroin
14 that the substance was brown sugar. Detective Monroe
15 said a number of times that he voiced his concerns
16 directly to Abdullah, but Detective Abdullah denied that.

17 Do you think that Detective Monroe would lie
18 about something like that?

19 A. No.

20 Q. Do you believe that Detective -- now my
21 question is gone.

22 If Detective Abdullah had done what you say you
23 asked him to do, do you believe you would have been
24 demoted?

25 MR. BENSON: Objection, speculation.

1 BY MR. MANCE:

2 Q. You can answer.

3 A. Can you --

4 Q. If Detective Abdullah had done what you say you
5 asked him to do, to address the camera issue with
6 Williams, do you believe you would have been demoted?

7 MR. BENSON: Objection.

8 MR. BLANCHARD: Objection.

9 THE WITNESS: That's -- I can't really even
10 answer that. Too many variables to say that that would
11 have any effect or any substantial effect.

12 BY MR. MANCE:

13 Q. Was the fact that you made a point of having
14 the conversation with Abdullah about Williams and the
15 camera indication that you believed it was important that
16 he address that issue?

17 A. Yes.

18 Q. In your mind, could Detective Abdullah have
19 misinterpreted you when you talked to him about that?

20 A. I don't think so.

21 Q. If Detective Abdullah understood that you were
22 serious about getting this corrected and he didn't
23 correct it, and he, instead, continued to lock people up
24 and seek search warrants on Williams' account, would you
25 agree that there's an element of dishonesty, at least

1 with respect to his interactions with you in the sense
2 that he's doing things that reflect on you, you've told
3 him to fix them, but he hasn't done it and he's not
4 telling you that he hasn't done it?

5 MR. BLANCHARD: Objection.

6 MR. BENSON: Objection.

7 MR. MANCE: I knew that was going to get an
8 objection.

9 BY MR. MANCE:

10 Q. If you understand the question, answer it.

11 A. I wouldn't necessarily categorize it as
12 dishonesty. It may reflect on his case-handling
13 abilities, but, you know, ultimately, all those charges
14 were approved by the DA's office, so I would have
15 assumed, and that's just an assumption, that there was
16 video -- audio or video sufficient enough to support the
17 probable cause for those charges.

18 Q. Do you know when these videos were turned over
19 to the DA by Abdullah?

20 A. No.

21 Q. Would you agree that being honest in the
22 workplace is a necessity when it involves matters that
23 affect people's freedom and personal safety?

24 A. Yes.

25 Q. Do you believe, sitting here today, that there

1 were elements of dishonesty to Detective Abdullah's
2 actions with respect to Mr. Williams?

3 A. No.

4 MR. BLANCHARD: Objection.

5 MR. BENSON: Objection.

6 BY MR. MANCE:

7 Q. Did you say no?

8 A. I said no.

9 Q. Okay. Do you remember telling Internal Affairs
10 that even after Williams was blacklisted as a CI, and
11 even after it became clear that he had been passing off
12 fake drugs, that Detective Abdullah came to you and
13 asked, quote, "If he thought we'd be able to use Aspirin
14 again," end quote. That's Exhibit I-41. Do you remember
15 him saying that to you?

16 A. Yes.

17 Q. Are you aware that Detective Rattelade told the
18 SBI that although he did not think, quote, "that Abdullah
19 is a bad person, he would not be surprised if he had a
20 relationship with Aspirin," end quote?

21 A. Am I aware that he said that?

22 Q. Uh-huh.

23 A. I don't remember specifically, no.

24 Q. Would that concern you?

25 MR. BLANCHARD: Objection to form. That he

1 said it or that the underlying allegation?

2 MR. MANCE: Okay. Let me clarify it.

3 MS. POOLE: Where are you pulling this from?

4 I'm sorry.

5 MR. MANCE: I'm sorry?

6 MS. POOLE: Where are you pulling that from?

7 MR. MANCE: It's Exhibit T-5.

8 (Exhibit T was identified for the record.)

9 MS. POOLE: And I'm going to object to the
10 extent it's being quoted as a statement of Rattelade.

11 BY MR. MANCE:

12 Q. Would it concern you if one of your detectives
13 believed another detective had a personal relationship
14 with a CI?

15 A. Yes.

16 Q. Okay. If Detective Abdullah has shown a
17 propensity for dishonesty -- let me withdraw that.

18 If Detective Abdullah still wanted to work with
19 Aspirin, even after it was clear that he had been selling
20 fake drugs, sitting here today, can you be 100 percent
21 certain that Detective Abdullah was not in on the scheme
22 to share proceeds of buy money with Aspirin?

23 MR. BLANCHARD: Objection to form.

24 MR. BENSON: Objection.

25 MR. BLANCHARD: And I don't think there's been

1 any evidence that Aspirin was repeatedly selling fake
2 drugs. I think that that was -- that wasn't the
3 allegation.

4 MR. MANCE: What? Oh, you mean purchasing.
5 I'm saying selling, purchasing.

6 MR. BLANCHARD: I think you meant to say
7 "purchasing," not "selling."

8 MR. MANCE: Yes. I'm sorry. Yes, yes, yes,
9 yes. That is an important distinction. I did mean to
10 say "purchasing," yes.

11 BY MR. MANCE:

12 Q. Let me reword the question. I'll withdraw the
13 question and ask it a different way.

14 Can you be certain that Detective Abdullah was
15 not personally profiting from some of this buy money in
16 these operations?

17 MR. BLANCHARD: Objection to the form.

18 MR. BENSON: Objection.

19 THE WITNESS: Nobody could be certain of that,
20 but my gut feeling and everything that I know about him,
21 I would say 100 percent no.

22 BY MR. MANCE:

23 Q. Do you know if Detective Abdullah has an
24 ex-wife?

25 A. Yes.

1 Q. Does he have three ex-wives?

2 A. I don't know.

3 Q. Was Detective Abdullah known to sleep in his
4 car between shifts?

5 A. Not necessarily. Well, Detective Abdullah
6 worked a lot of off-duty work and sometimes from the end
7 of his shift until his off-duty shift started, it might
8 be a couple hours and he would, you know, catch -- catch
9 a nap, or whatever, because he lived far -- far from
10 Raleigh, so he couldn't drive home.

11 Q. When we asked Detective Abdullah in deposition
12 if following these operations he would typically
13 compensate Dennis Williams, quote, "with only him and
14 Williams present," he responded, "Yes." And this is at
15 B-114 and 115 of the Abdullah depo.

16 He said, typically, he did it in his car,
17 quote, "out in the back parking lot," end quote. Then he
18 said that you would say, you know, quote, "Go ahead and
19 just pay him and cut him loose." Is that a fair
20 description of how he would be paid?

21 A. Yes.

22 Q. Would Abdullah be alone with Williams in the
23 parking lot when he would give him the cash?

24 A. Yes.

25 Q. You wrote -- and this is at U-14.

1 (Exhibit U was identified for the record.)

2 BY MR. MANCE:

3 Q. This is in your appeal, that, quote, "It was
4 clear in this investigation that it was easier for all
5 the responsible entities to distance themselves from
6 their contribution to the problems and past failures that
7 led to these outcomes," end quote, and that, quote, "It
8 is incredibly unfair to assign them all to me," end
9 quote.

10 Who are, quote, "all the responsible entities,"
11 end quote, that you were referring to?

12 A. So the DA's office, basically, for prosecuting
13 the cases without sufficient audio and video; the Raleigh
14 Police Department for, basically, allowing practice or
15 even in some instances, you know, training, oncoming
16 supervisors, practices that were, I guess, technically
17 against policy, as we referred to earlier, so the agency,
18 in general; the DA's office; other entities that would
19 have had oversight on this type of -- this type of
20 investigation. So that's what I was referring to.

21 Q. The Internal Affairs Report says that Dennis
22 Williams was on probation at the time he was released and
23 that one of the terms was that he was not to have contact
24 with narcotics or people selling narcotics. Is that also
25 what you believed to be the case?

1 MR. BENSON: Objection.

2 THE WITNESS: Well, it was my understanding the
3 entire time that this CI was in use that he was approved
4 by his probation and parole for use as a CI.

5 BY MR. MANCE:

6 Q. The IA Report concluded that Detective Abdullah
7 did not contact Mr. Williams' probation officer,
8 Mr. Upchurch, even though Mr. Upchurch had tried to get
9 in touch with Mr. Abdullah to discuss Mr. Williams. Do
10 you agree that that's what happened or do you -- or did
11 something else happen?

12 MR. BENSON: Objection.

13 THE WITNESS: I don't have any knowledge of
14 that. Like I just stated, it was my knowledge -- or it
15 was my understanding that he was approved for use as a CI
16 and I recall the initial setup for that.

17 BY MR. MANCE:

18 Q. Do you believe you have been treated fairly by
19 the department?

20 A. No.

21 Q. Have you ever expressed a concern that if you
22 had disciplined or scrutinized Abdullah more, it could
23 appear retaliatory because of a past history of
24 complaints?

25 A. Yes.

1 Q. Can you tell me about that?

2 A. So Detective Abdullah, for pretty much his
3 entire -- I won't say his entire -- a good bit of his
4 career had a reputation of being a loner, having
5 personality conflicts kind of wherever he went, and so
6 that was another one of the -- going back to that
7 previous question about another one of the reasons I felt
8 I was treated unfairly is -- pardon me -- kind of
9 continued to kick the can down the road and make -- you
10 know, he was a problem here, so now he's your problem,
11 then he's -- you know, not being addressed prior to him
12 ending up under my supervision.

13 Q. What do you recall about the complaint
14 Detective Abdullah filed against Detective Gay?

15 A. That complaint, Detective Abdullah called me
16 one night and said he had overheard a conversation in the
17 squad room. The other detectives were talking about some
18 news story regarding reparations, and Abdullah had told
19 me that he overheard Detective Gay -- and I won't quote
20 what it was, but it was making some reference about
21 people just wanting free money. And so when he indicated
22 that to me, I made contact with Internal Affairs and he
23 ended up filing a complaint through them.

24 Q. And do you know what the resolution of that
25 complaint was?

1 A. I don't know specifically what it was. I don't
2 think it was -- I think the outcome was not sustained, if
3 I remember correctly, but I wouldn't go on the record
4 saying for sure.

5 Q. The quote I saw was, "Black people love them
6 some free money." Does that sound correct?

7 A. Yes.

8 Q. Did you determine if Detective Gay made that
9 statement?

10 A. I didn't determine that. That was turned over
11 to Internal Affairs, any kind of complaint regarding a
12 racial type thing, immediately.

13 Q. So that would be the sort of thing IA would
14 handle, not you?

15 A. Right.

16 Q. Okay. Do you know if IA determined if she made
17 the complaint or made that statement?

18 A. I think it was determined to be not sustained,
19 which means that it didn't occur, but I can't 100 percent
20 say that was the outcome.

21 Q. Do you recall the allegation that Detective
22 Rattelade had responded to Gay's statement with a
23 reference to chicken and Cadillacs?

24 A. No.

25 Q. You said in your IA appeal that your

1 supervisors failed to act when you brought your concerns
2 to them about Abdullah. What concerns were you referring
3 to?

4 A. Primarily, on multiple occasions, I had
5 requested through Lieutenant Bunch that Detective
6 Abdullah be transferred to a unit that was more conducive
7 to his kind of loner mentality. This was prior to any
8 complaints or anything that he waged against his
9 coworkers, but basically the strife that it was causing
10 on the squad due to the personality conflicts. You know,
11 a Drugs and Vice team is a very cohesive, team-oriented
12 job and it just didn't necessarily fit Abdullah's
13 personality, so I, on multiple occasions, spoke with
14 Lieutenant Bunch and asked if he could be considered for
15 a transfer to a different squad, like a general
16 investigations where you can more work on your own versus
17 in a team environment.

18 Q. What could and should, in your opinion, the
19 supervisors have done?

20 A. I would say based on, you know, the ongoing
21 problems, the personality conflicts, et cetera, with
22 Detective Abdullah, that an evaluation could have been
23 made and should have been made that he be transferred to
24 a unit that was more conducive to his personality style.

25 Q. I want to ask you some questions about text

1 messages that were exchanged by you and various people in
2 your unit. I'm going to start with a March 26, 2020
3 exchange between you and your detectives. This is
4 located at V-982 to 992.

5 (Exhibit V was identified for the record.)

6 BY MR. MANCE

7 Q. You sent a text message on March 26, 2020, to
8 your detectives that said, quote, "That was straight
9 grisly shit." Abdullah responded, "Hell, yeah." Monroe
10 says, "Good transition and overall team execution."

11 You then responded, "Caught em slippin."
12 Abdullah says, "Definitely nice teamwork."

13 Then you ask, "How much did the dope weigh?"
14 Abdullah replied, "I'm weighing it now. 12.5 --" and
15 he's talking about grams -- "on the first bag, 6.0 on the
16 second." You replied, "Nice."

17 Do you remember that exchange?

18 A. Not specifically, but it sounds like something
19 that we would have been saying.

20 Q. I want to see if you can tell me if you
21 remember anything about that day, March 26. This was the
22 date, I believe, that the unit arrested a man named
23 Demorris Meeks, as well as three other men, and this was
24 following a hand-to-hand sale in a bathroom, and this was
25 an operation where it appears the whole unit worked

1 together on a buy bust.

2 Does that ring a bell? Do you recall that
3 operation?

4 A. There's one that occurred in Garner that sounds
5 like this. I don't know specifically if this is the one
6 or not.

7 Q. So in this one, you had believed you recovered
8 18 1/2 grams of heroin. Can you put that in perspective?

9 A. With respect to what?

10 Q. How significant a seizure that would be.

11 A. That would be a significant seizure, yes.

12 Q. Would that be the sort of seizure that maybe
13 higher-ups in the department would hear about?

14 A. Not necessarily. I mean, every drug case we
15 did, we did a case update and it was sent out. So,
16 actually, any drug arrest we had, higher-ups would hear
17 about.

18 Q. And would you agree that amount is more than
19 four times the amount that's needed for a trafficking
20 charge?

21 A. What was the weight again?

22 Q. 18.5.

23 A. Yes.

24 Q. Did that strike you as suspicious?

25 A. No.

1 Q. Did you order 18.5 grams from the dealer?

2 A. I don't know the specifics of this case.

3 Q. If you ordered an amount of drugs and then the
4 drug dealer delivered significantly more, would that make
5 you suspicious?

6 A. Well, there's no indication whether he
7 delivered significantly more. It could have been other
8 drugs that were located in the vehicle, on his person,
9 that were slated for somebody else. Like I say, I don't
10 know the specifics of this case or what --

11 Q. As a general matter, not specifically referring
12 to this case, if you order a certain amount of drugs, you
13 know how much you're ordering, they know how much you're
14 ordering, but then they show up with significantly more,
15 would you find that suspicious?

16 A. If they were delivering it to you, yes. If
17 they had it on their person, not necessarily because it
18 could have been for someone else.

19 Q. So just to put a pin on it --

20 A. Yeah.

21 Q. If you ordered a certain amount of drugs and
22 they showed up and gave you -- gave you more drugs, so
23 you walked away from the transaction with significantly
24 more than you had ordered, would that make you
25 suspicious?

1 A. Yes, sir.

2 Q. Okay. Are you aware of any officer who has
3 purchased that much heroin for that little money before?
4 And the amount was \$680.

5 A. I don't have any specifics on any other
6 instances, no.

7 Q. On April 9th, 2020, you sent a text message to
8 the detectives in your unit saying, quote, "Ole Aspirin
9 pulls it off again!!" This is also in V.

10 What was your thinking when you sent that
11 message?

12 A. That I guess I was happy that he was continuing
13 to make good cases.

14 Q. So this was the day, April 9th, that Isaiah
15 Walker was arrested for 7 grams of what was claimed to be
16 heroin in the parking lot of a Food Lion, and I believe
17 there was an incident with a car that Walker was in
18 collided with Detective Abdullah's vehicle. Do you
19 remember that incident?

20 A. I do. I'm just trying to remember which one it
21 was. I remember a car colliding with Abdullah's vehicle.

22 Q. So in this instance with Walker, you recovered
23 7 grams, which is almost twice the -- not quite, but
24 close to twice the trafficking amount, but you had given
25 Williams the same amount of money as you had on

1 March 26th. Did that raise any red flags?

2 A. I'm not sure what you mean.

3 Q. Well, you gave Williams the same amount of
4 money two different dates. In one instance, they
5 produced 18.5 grams of purported heroin, and the second
6 7 grams. Was that -- did that raise concerns or
7 suspicions with you?

8 A. No, because it was kind of a blanket dollar
9 amount for a trafficking case, so it didn't matter
10 whether it was 4 or 24. It was basically about a \$200
11 payment, unless there were other guns or other things
12 that were located.

13 Q. Was there any specific combination of drugs and
14 price that would have raised a red flag for you?

15 A. No.

16 Q. To clarify my previous questions, when I was
17 saying \$680, I was referring to the buy money, not the
18 compensation to Aspirin. Would the \$680 have seemed too
19 low for 18 1/2 grams of heroin?

20 A. Yes.

21 Q. And would it raise your suspicions if that same
22 informant then wanted the same amount of money, \$680, to
23 get a fraction of that amount shortly thereafter?

24 A. No.

25 Q. Okay. You called Williams, quote, "Ole

1 Aspirin" in that message. Why did you do that?

2 A. Because that was his nickname.

3 Q. Had he endeared himself to you?

4 A. No.

5 Q. Were you excited about the cases he was making?

6 A. I was excited for any success that my squad was
7 making, yes.

8 Q. I want to ask about another text message. This
9 one is from May 21st, 2020. These are at W, tab W.

10 (Exhibit W was identified for record.)

11 BY MR. MANCE:

12 Q. This one is a text message from Detective
13 Rattelade that was sent to Detectives Gay and Monroe on
14 the day they raided my clients' homes. It says, quote,
15 "Place your bets here, 7 grams brown sugar mixture,
16 12 grams weed, \$230 (non buy money) 3 red flags."

17 What do you think Detective Rattelade meant by,
18 "Place your bets, 7 grams brown sugar mixture, 3 red
19 flags"?

20 A. I think that is basically a reference to kind
21 of their ongoing disdain for Aspirin and they were
22 basically making a bet on what the seizure was going to
23 be. That's what they're talking about.

24 Q. And this was on the day that they raided my
25 clients' home, would you agree, May 21st?

1 A. I was on vacation, but that appears to be the
2 date stamp on the top.

3 Q. Do you think those text messages indicate that
4 they were taking things seriously?

5 A. You know, that is just like any job. You kind
6 of joke and play around amongst themselves. I can
7 100 percent guarantee you in the field they were very
8 much taking the operation seriously. This is just kind
9 of the side, you know, joking amongst themselves of what
10 they thought the outcome would be.

11 Q. So you take these -- am I right that you take
12 these text messages to suggest that they believed there
13 was a reasonable chance that they were going to be
14 producing brown sugar?

15 A. I think they were basically believing that the
16 results would be poor, the results of the search would be
17 poor.

18 Q. As their supervisor, knowing that they're going
19 to be sending armed people into homes, does it concern
20 you that this is the way they were talking to each other
21 around the time that they went into people's homes?

22 MR. BLANCHARD: Objection to the form.

23 THE WITNESS: This doesn't just concern me.
24 This is just kind of a squad banter type thing. They all
25 take it all very seriously and 100 percent professional

1 out in the field. This is nothing more than just kind of
2 yucking it up amongst themselves.

3 BY MR. MANCE:

4 Q. So Detective Monroe replied to Detectives
5 Rattelade and Gay and he said, quote, "For sure fake
6 heroin." What do you think Monroe meant by that?

7 MR. BENSON: Objection.

8 THE WITNESS: Like I kind of mentioned earlier
9 multiple times, you know, these guys didn't like the CI
10 and this was kind of their way of venting that amongst
11 themselves.

12 BY MR. MANCE:

13 Q. Is this the -- so do you read this to indicate
14 that Detective Monroe believed it was likely that they
15 were going to find brown sugar?

16 A. No. What I see this as is just kind of a
17 joking thing. He may have that opinion, but I can't -- I
18 can't answer what his thoughts were. To me, it's just
19 kind of a joking thing amongst the squad.

20 Q. Is it reasonable to read these messages, in
21 your opinion, to suggest that they at least expected not
22 to find heroin?

23 A. You can read them and sway them whichever way
24 you'd like it to be, but I mean, clearly, they're making
25 indication that they didn't feel like it was going to be

1 a good recovery.

2 Q. As their supervisor, what does it indicate to
3 you about the seriousness about -- with which your
4 detectives took their responsibilities that they were
5 taking bets about brown sugar?

6 A. I don't have any issue with knowing that they
7 were taking their job seriously. Like I said, this was
8 just a banter, side banter amongst themselves. I don't
9 know how else to explain it.

10 Q. I want to move forward a week, to May 28th, the
11 last text message I want to look at. This is the last
12 page of the V tab. You sent a text message to Detective
13 Abdullah and it says you still had, quote, "not had an
14 opportunity to discuss what happened while I was gone on
15 vacation with Aspirin," end quote. Do you remember that?

16 A. Not really.

17 Q. You can review it if --

18 A. What's the reference?

19 MR. BLANCHARD: It's not in here, I don't
20 think.

21 MR. MANCE: It's behind the -- it should be
22 behind the V tab. Is it not? They're kind of hard to
23 find. I tried to circle them. It might be the last one.
24 It's like the big, bold text, I think maybe that one.
25 And you're looking for "not had an opportunity to discuss

1 what happened while I was gone on vacation."

2 THE WITNESS: Okay.

3 BY MR. MANCE:

4 Q. Is that the text message you're looking at?

5 A. Yes.

6 Q. Did you send that text message?

7 A. Yes.

8 Q. And you seem to indicate then that he shouldn't
9 be worried, that his punishment, quote, "Should be
10 nothing more than a written counseling form. It's not
11 going to be anything crazy." Did you write that?

12 A. It's right here. Yes, sir.

13 Q. Why did you write that?

14 A. Well, I was trying to make him feel better
15 about the situation, you know, just because, you know,
16 everything went south. It doesn't mean I want to beat up
17 on the guy. I was trying to make him feel better about
18 it and, you know, at that time, not knowing the entirety
19 of what was going on, just being a good supervisor,
20 trying to make him feel better about, you know, getting
21 himself in hot water.

22 Q. Why would you communicate with him about the
23 severity of his punishment and imply that you hoped it
24 would be light before you had even gotten his account of
25 what happened?

1 A. Because as a supervisor, you want to do your
2 best to make your employees, you know, feel good, and
3 anybody that gets in trouble, you would hope that
4 somebody was there to try to make you feel better, kind
5 of just having an optimistic spin on it, really.

6 Q. Do you believe it was your responsibility to
7 have their back, even when they're wrong?

8 A. Yes.

9 Q. Is it fair to say that you were hoping he would
10 avoid trouble whether he had done anything wrong?

11 A. Nobody wants people to get in trouble. If he
12 had done something to the point where it was a bad
13 violation, you know, he would be punished, just like
14 anybody else would.

15 Q. Okay. I'm going to ask some questions about
16 statements that you made to Internal Affairs. Some of
17 these are statements you made directly to them and some
18 are things I think you wrote in your appeal to the
19 hearing officers.

20 So I'm going to read you some quotes of things
21 you wrote and ask you questions about them. Most of
22 these are from the 16-page document, which is, I think,
23 U, tab U, called "Appeal Docs from Rolfe with DC Jordans
24 notes."

25 You wrote in your appeal to your demotion that

1 although you were aware of suspicion among the squad that
2 Aspirin was producing fake drugs, quote, "Video observed
3 on Callyo devices were consistent with drug exchanges."
4 That's U-3.

5 How were you able to characterize what the
6 video showed when you said that you never watched the buy
7 videos?

8 A. So it says, "Audio and video observed on Callyo
9 devices were consistent with drug exchanges," so the
10 Callyo device is the phone device, the monitoring audio
11 and sometimes video monitoring. The videos that get
12 provided to the DA's office are from a secondary device
13 that's a camera that's hidden in a hat or a button on a
14 shirt, and that's a separate -- separate video from the
15 Callyo. So everything that I heard over the phones --
16 the Callyo device, the live audio link was consistent
17 with your average drug exchange.

18 Q. So the first question I asked you today, I read
19 you the conclusion of the IA Report and asked if you
20 agreed with it, and I believe you did. And one of the
21 conclusions they made said, "None of the above-mentioned
22 heroin cases made by Detective Abdullah while using
23 Dennis Williams as a confidential informant resulted in
24 an audio or video recording of any drug transaction,
25 despite the fact that working equipment was used in each

1 case, and in some cases more than one type of recording
2 device was used at the same time."

3 So, again, you wrote in your appeal that video
4 observed on Callyo devices were consistent with drug
5 exchanges. How could that be true -- how do you
6 reconcile that statement with the statement you agreed to
7 earlier?

8 A. Because --

9 MR. BLANCHARD: Objection to the form. I don't
10 think he agreed to the earlier statement, but go ahead.

11 BY MR. MANCE:

12 Q. Okay. Let's withdraw that question for now.
13 Let's revisit the earlier statement.

14 So do you agree with Internal Affairs'
15 characterization, the one I just read you?

16 A. Can you repeat it?

17 Q. Sure. "None of the above-mentioned heroin
18 cases made by Detective Abdullah while using Dennis
19 Williams as a confidential informant resulted in an audio
20 or video recording of any drug transaction, despite the
21 fact that working equipment was used in each case and in
22 some cases more than one type of recording device was
23 used at the same time."

24 Do you have any reason, sitting here today, to
25 believe that that is an inaccurate statement?

1 A. Somewhat because, basically, what is -- what is
2 normally provided for the case jacket on a hard disk is
3 the recording from the button camera, not the Callyo, so
4 that is -- that is what the difference is. So I may have
5 heard and seen video on the Callyo device on my phone,
6 and that's the one that's captured in the cloud on the
7 system -- on a different system than what is normally
8 provided to the DA's office. That's the difference.

9 Q. So you would disagree with this
10 characterization?

11 A. I would disagree.

12 Q. Okay. Can you identify any of the specific
13 videos that you were referring to in your appeal that you
14 contend were consistent with drug exchanges?

15 A. No.

16 Q. You cannot?

17 A. (Witness shakes head.)

18 Q. Okay. You also wrote in your appeal that,
19 quote, "Drugs were being recovered that were consistent
20 with what was ordered." That's at U-3. Do you stand by
21 that?

22 A. Yes.

23 Q. So you maintain that there were drugs recovered
24 from these 11 or 15 men?

25 A. Right.

1 Q. Is it true that Dennis Williams purported to
2 produce more heroin than was even ordered sometimes by a
3 factor of 3 or 4 on multiple occasions?

4 A. I wouldn't say multiple occasions, but we did
5 go over a few that had.

6 Q. And did you sign off on those reports?

7 A. Yes.

8 Q. The fact that -- so we've quoted your
9 detectives earlier about saying there should have been a
10 red flag. I'm going to ask again. Why was that not a
11 red flag?

12 A. It was a red -- may have been a red flag to
13 them, but like I stated earlier, I was doing my own
14 evaluation on whether it was inner squabbling amongst the
15 squad, complaints, or factual problems.

16 Q. You wrote, quote -- this is at U-3 --
17 "Regardless of those suspicions, without evidence to
18 prove that the informant was misleading Detective
19 Abdullah and/or providing false evidence, there was no
20 reason to stop using him until proven otherwise."

21 Did you not believe suspicions by the majority
22 of your squad constituted a reason to stop using him?

23 A. No, for the same exact reason I just mentioned,
24 that due to personality conflicts, they were constantly
25 complaining about --

1 Q. Just to be clear, you're suggesting that these
2 detectives might have been dishonest about their real
3 motivations?

4 A. I wouldn't categorize anything that they say or
5 do as dishonest. They might have different reasons to be
6 more critical of a detective or a CI based on their
7 dislike.

8 Q. Were you aware that the consequences of being
9 wrong could include people being wrongfully convicted or
10 innocent people have armed police officers enter their
11 homes?

12 MR. BLANCHARD: Objection.

13 THE WITNESS: Can you repeat that, please?

14 BY MR. MANCE:

15 Q. Were you aware that the consequences of being
16 wrong -- so when I say "being wrong," wrong about
17 Williams and whether he was trustworthy. Were you aware
18 that the consequences of being wrong about something like
19 that could include people being wrongfully convicted,
20 going to prison, people having their homes searched?

21 A. Yes.

22 Q. Did you consider there to be an acceptable
23 level of risk to keep working with Aspirin in spite of
24 your detectives' suspicions?

25 A. I would say that we continued to use Aspirin.

1 There was never anything that I saw outside of the kind
2 of thing that we continue to say about the personality
3 conflicts that stuck out enough to me to stop using him.

4 Q. But I want to get to my question. Did you
5 believe it was an acceptable level of risk?

6 A. Yes.

7 Q. You wrote in your appeal -- this is at U-4 --
8 "The CI was approved for use by my supervisor, the CI's
9 probation officer and the Wake County DA's office." Why
10 did you include the CI's probation officer in that
11 statement?

12 A. Because that was one of the things that came up
13 in the IA investigation, so I was making sure that it got
14 covered in my appeal.

15 Q. Well, who was that supervisor?

16 A. What supervisor?

17 Q. The probation officer.

18 A. I don't recall what their name was.

19 Q. What is your basis for saying in your appeal
20 that they approved Williams' use as a CI?

21 A. Because I had specific remembrance of the
22 paperwork that Detective Abdullah obtained to use Aspirin
23 as a CI.

24 Q. What happened to that paperwork?

25 A. I don't know.

1 Q. Have you looked for it?

2 A. No.

3 Q. Did you not believe that paperwork would have
4 been important for purposes of your IA appeal?

5 A. It would, but it wasn't in my possession and at
6 that point, Detective Abdullah wasn't -- he was on
7 administrative leave.

8 Q. You wrote in your appeal, quote, "I was aware
9 the informant was not providing quality surveillance
10 footage. I addressed this with Detective Abdullah by
11 requiring him to apply an additional recording source
12 when utilizing CI Aspirin and ordering him to make
13 criminal charges if footage was at the level required by
14 the DA assigned to his case. I had no reason to believe
15 he was doing otherwise; thus, I did not feel the need to
16 confirm." That's at U-14.

17 Elsewhere you wrote, quote, "I had no
18 indication that Detective Abdullah was not following
19 those directives and, therefore, had no reason to follow
20 up." That's at U-8. Did you make those statements?

21 A. Yes.

22 Q. Assuming an officer -- let's just assume.
23 Assuming an officer is being dishonest in a scenario such
24 as the one that you were faced with, how would you have
25 expected to be given a reason to believe otherwise if you

1 weren't taking the time to review the video, yourself?

2 MR. BLANCHARD: Objection.

3 THE WITNESS: I had no -- nobody from the DA's
4 office reached out to me indicating that there was any
5 problems. I would assume if there had been multiple
6 cases brought forth for prosecution and that there wasn't
7 the evidence sufficient to make those charges, that I
8 would have heard something. The case would have been
9 dismissed or got a phone call saying, "Hey, we're having
10 a problem. Abdullah is presenting cases without audio
11 and video support," gotten into that, so in the absence
12 of that, it was just kind of business as usual.

13 BY MR. MANCE:

14 Q. Did you assign anyone else to review the
15 footage on your behalf?

16 A. No.

17 Q. Whose word, other than Abdullah's, were you
18 relying on so as to not need to watch the videos?

19 A. Nobody.

20 Q. Weren't there concerns voiced to you by the
21 third Williams heroin arrest?

22 A. Can you clarify that?

23 Q. By the time the third heroin -- purported
24 heroin arrest was made involving Dennis Williams as the
25 CI, were you by that time aware of concerns?

1 A. I can't recall where in the time line that I
2 was informed of it.

3 Q. Were you aware that Detective Abdullah was
4 filing trafficking charges against these individuals at
5 the time that you were not checking his videos?

6 A. Yes.

7 Q. Was Detective Rattelade accurate when he said
8 those videos are easily accessible with a touch of a few
9 buttons on the computer?

10 A. Yes.

11 Q. Detective Rattelade told Internal Affairs at
12 K-22 that there was, quote, "gross negligence as far as
13 the handling of that CI." Do you agree?

14 A. No.

15 (Exhibit K was identified for the record.)

16 BY MR. MANCE:

17 Q. You responded to allegations by Internal
18 Affairs that you failed to review Detective Abdullah's
19 case jackets in a timely manner by saying that all but
20 one of them didn't exist at the time the issue was first
21 raised with you by Detective Davis. Do you recall that?

22 A. Yes.

23 Q. What is your responsibility as a sergeant to
24 make sure that detectives are maintaining case jackets in
25 a timely fashion?

1 A. None.

2 Q. You have no responsibility?

3 A. (Witness nods head.)

4 Q. In the event there is a problem, as there was
5 here, wouldn't you rely on those case jackets to be able
6 to identify issues?

7 A. I suppose. I mean that's kind of like putting
8 the cart before the horse, but, you know, you expect that
9 your detectives are going to have their cases documented
10 for prosecution, so at least they would be available.

11 Q. You wrote -- and this is at U-6 -- that, quote,
12 "The evidence produced indicating violations of rules,
13 regulations, policies and procedures of the department,
14 while true in some instances, were a product of
15 acceptable, taught and consistent practices that were
16 commonplace among all the Drugs and Vice, Career Criminal
17 Unit, Criminal Enterprise Drug Unit and Gang Suppression
18 Unit." Did you write that?

19 A. Yes.

20 Q. What specifically were you referring to?

21 A. There was multiple references, a lot of
22 different references.

23 Q. Okay. Well, what were the violations of
24 procedure that were deemed acceptable within RPD culture
25 and throughout the different units that you were

1 referring to?

2 A. One was access to CI funds without me being
3 there, like I had a -- Detective Rattelade was kind of my
4 alternative team leader. If I were not there, he was
5 able to access the CI funds to make the buys, et cetera.
6 I had a protocol in place to make sure that all that was
7 documented. There had to be a second detective to sign
8 off that the funds were received. That was one of them.

9 Meeting CIs solo was one of them. It was just
10 all the different things that -- the violations of policy
11 that they waged against me in the investigation.

12 Q. You wrote at -- this is at U-9 -- that, quote,
13 "There is precedence of practice of detectives meeting
14 informants alone within all the Drugs and Vice units."
15 Did you write that?

16 A. Yes.

17 Q. And is that true?

18 A. Yes.

19 Q. So should I understand that to mean that
20 despite the policy saying one specific thing, the actual
21 policy that is followed is something different?

22 MR. BLANCHARD: Objection.

23 THE WITNESS: Not the actual policy that is
24 followed is different. The practice is different.

25 BY MR. MANCE:

1 Q. So the practice is different than the policy?

2 A. Right.

3 Q. And that's for things like, you said, logging
4 contacts with informants and having two officers at a CI
5 meet and the lock box issue?

6 A. Yes.

7 Q. Okay. You wrote, "I received praise --" this
8 is at U-9. "I received praise from my supervisor,
9 Lieutenant J. Bunch, for the system I developed to
10 maintain CI funds." Did you write that?

11 A. Yes.

12 Q. Is that true?

13 A. Yes.

14 Q. Are you saying that you received praise from
15 Lieutenant Bunch for the same thing you were later
16 disciplined for?

17 A. Yes.

18 Q. What were the circumstances of you receiving
19 praise?

20 A. So the agency didn't really have a process on
21 paper on how to keep up with your CI slips and payment
22 slips, so anytime you made a drug transaction, there was
23 a hard copy slip of the amount of money that was going to
24 be used for the purchase of the drugs, and then there was
25 another slip that was a hard copy paper slip that was

1 used for when you pay out the informant. You know, those
2 slips have to be signed by -- witnessed by another
3 detective or myself.

4 And then I created a booklet, basically a
5 checks and balances for these slips, where all the
6 original copies were maintained and secured, and then in
7 order for a detective to check out any more money, they
8 had to clear the last slip, make sure everything was
9 accounted for before they could get additional money. So
10 it was just an organization of the CI payment process
11 that was absent prior.

12 Q. You wrote -- and this is at U-9 -- that, quote,
13 "There has been no direct evidence presented in this
14 investigation in regard to the manipulation of Detective
15 Abdullah by CI Aspirin." Do you remember writing that?

16 A. Yes.

17 Q. Why did you write that?

18 A. I guess, basically, what I was saying was that,
19 you know, other than general speculation, it's never --
20 to my knowledge, never been proven that, you know, this
21 bait and switch situation actually occurred. It was just
22 basically kind of the best speculation after the fact
23 that we were able to come up with on how he was able to
24 get over on us. So, basically, I was just indicating
25 that even though the speculation was this, I don't think

1 it's ever been proven that that was actually what
2 occurred.

3 Q. Did you mean to suggest that there might not
4 have actually been dishonesty on Aspirin's part?

5 A. No, I did not.

6 Q. Because there's a number of ways to interpret
7 that statement. I mean you could read it to say that you
8 didn't -- you thought Abdullah was in the scheme, but you
9 said earlier you do not believe that is the case.

10 A. No, I don't.

11 Q. Okay.

12 A. Basically, what I -- the interpretation was
13 that, you know, I was punished for all the speculation of
14 what occurred. However, it was never actually proven
15 that this is exactly what happened.

16 Q. Did you mean to suggest that Detective Abdullah
17 might have been wrongfully accused?

18 A. Of what?

19 Q. Of all the things he was accused of.

20 A. No.

21 Q. You wrote -- this is at U-10 -- quote, "There
22 is no evidence presented in this investigation that
23 indicated my awareness of inconsistencies or inaccuracies
24 (only suspicions) prior to the service of my discipline
25 and receipt of investigative materials." Why did you

1 write that?

2 A. Because I was -- where are we at, again?

3 MR. BLANCHARD: (Indicating.)

4 THE WITNESS: So we're talking about the
5 suspicions that everybody had of CI Aspirin and I was
6 basically saying that there's been no evidence presented
7 that confirmed all the suspicions everybody had about
8 him.

9 BY MR. MANCE:

10 Q. Were you aware that the detectives who worked
11 with you had talked to Internal Affairs?

12 A. Yes.

13 Q. And I've read you a number of those statements
14 today.

15 A. Right.

16 Q. Would you agree that if you've got all the --
17 multiple detectives in the unit telling Internal Affairs,
18 "I told Rolfe this; I did a field test that came back
19 negative," things of that nature, is that not evidence
20 presented that would have indicated your awareness of
21 inconsistencies or inaccuracies?

22 A. This reference was --

23 MR. BLANCHARD: Object to form.

24 THE WITNESS: This reference was, in my head,
25 the way I wrote it was specific to the inconsistencies of

1 Aspirin.

2 BY MR. MANCE:

3 Q. Internal Affairs wrote -- this is at U-10.
4 Internal Affairs wrote, "You should have seen," quote,
5 "red flags as a seasoned Drugs and Vice supervisor." And
6 you responded by admitting you were suspicious of the CI,
7 but also said you should not be held responsible because
8 you had not actually reviewed the footage that was
9 available to you.

10 Would you agree with me that that was your
11 general argument?

12 A. My general argument was -- where is that,
13 again? Sorry.

14 Q. So they're saying on U-10 -- they just
15 basically said you should have seen these red flags as a
16 seasoned supervisor of the Drugs and Vice Unit. And you
17 said, "I was suspicious, but I shouldn't be held
18 responsible because I didn't actually review the footage
19 that would have confirmed this one way or another."

20 Is that a fair characterization of sort of what
21 you said to IA?

22 A. In general.

23 Q. Okay. Can you make sense of that argument for
24 me? I mean, why would that not be a responsibility to go
25 watch those videos if you had all these red flags?

1 A. Because, well --

2 MR. BLANCHARD: Objection.

3 MR. BENSON: Objection.

4 THE WITNESS: I didn't have all these red
5 flags. Other people had red flags. Like I stated
6 earlier, I was making my own evaluation based on
7 personality conflicts, the same explanation I've
8 regurgitated multiple times, that I was making my own
9 evaluation on whether these things were valid or not.

10 I had not heard anything from the DA's office,
11 any discrepancies that they had. They continued to
12 prosecute the cases, so it was my assumption that
13 everything was good on their end with the audio and
14 video, which was policy of the Wake County DA's office
15 not to prosecute without it, so I had no reason to
16 believe that they weren't getting what they needed to
17 move forward.

18 It's not the sergeant's responsibility to
19 review the videos because it's not my case. It's the
20 detective's case. It's their responsibility to make sure
21 that they have what they need to prosecute the case.

22 BY MR. MANCE:

23 Q. You wrote -- this is at U-13 -- quote, "In all
24 appearances, the investigators and others associated with
25 this investigation had/have preconceived notions as to my

1 supervision of the Drugs and Vice Unit that were
2 preexisting and inaccurate," end quote. Why did you
3 write that?

4 A. Oh, it was basically, you know, when I reviewed
5 the IA file, you know, everybody -- or based on their
6 line of questioning, it was kind of like a preconceived
7 notion or, you know, this is what the punishing --
8 punishment is going to be, so we need to tailor our
9 investigation to support those policy violations. There
10 was, in my opinion, no real -- there was not a thorough
11 enough investigation to -- very, in my opinion, poor
12 investigation on my -- on the violations that they placed
13 against me. So, basically, I was indicating that I felt,
14 based on the line of questioning of the IA, that they
15 basically had a preconceived outcome that they were
16 tailoring their investigation toward.

17 Q. Do you think that Detective Davis from Internal
18 Affairs had preconceived notions going into the
19 investigation?

20 A. Maybe not preconceived notions, but possibly a
21 preconceived outcome that he needed to be working toward.

22 Q. Do you think that D.C. Jordan had preconceived
23 or biased notions going into the investigation?

24 A. I don't think he had preconceived or biased
25 notions. I think he probably had an outcome that was

1 indicated that it needed to be, and so, therefore, he
2 tailored his investigation in that manner.

3 Q. If we were looking at the whole IA file and you
4 had to pick one thing as the clearest illustration of
5 their having preconceived notions, what would you point
6 to?

7 A. I guess maybe the final findings where they
8 kind of summarize everything.

9 Q. At what point in the process did you come to
10 believe that they had preconceived ideas about the
11 investigation?

12 A. From the beginning, really.

13 Q. And was there something during the course of
14 the investigation or some incident that persuaded you
15 that Internal Affairs was biased in the way they were
16 conducting the investigation?

17 A. Having been a police officer for 27 years now
18 and understanding kind of the political, with all these
19 cases being in the media and all the civil traction that
20 was going on, I think ultimately the Internal Affairs via
21 probably the City was saying, you know, "In order to
22 mitigate some of these losses, we're going to need
23 somebody to blame here," and I happened to be that guy.

24 Q. D.C. Jordan's handwritten notes, which are at
25 U-13, say that, quote, "Rolfe should have followed up on

1 Abdullah utilizing the secondary camera and whether he
2 changed the charges as directed at the very least," end
3 quote. Do you believe D.C. Jordan was wrong?

4 A. Not necessarily. You know, I did -- on one
5 case where I was told that the drugs were -- came back --
6 field tested negative, I told him to amend the charge
7 from trafficking to sale and delivery of counterfeit
8 controlled substance and had no reason to believe that he
9 had not.

10 Q. How much effort would it have taken to do what
11 they suggested?

12 A. Not much.

13 Q. How much time would it have taken?

14 A. Fifteen minutes.

15 Q. You wrote in two different places -- I think
16 one of them is at U-14 -- that you didn't believe you
17 deserved the discipline that was imposed, in part,
18 because some of RPD's policies and protocols that you
19 were found to have violated were, quote, "outdated."
20 What did you mean by that?

21 A. You know, unfortunately, our police department
22 in a lot of aspects is kind of in the stone ages on a lot
23 of things, you know, as far as these old policies that
24 don't fit current times. They haven't really been
25 updated over the years to kind of go along with the more

1 modern -- more modern investigations. You know, now
2 we're doing, you know, social media, investigate in
3 different -- anyway, long story short, we're a little bit
4 behind in some of our policies and procedures and, you
5 know, just could have been -- a lot of this stuff could
6 have been avoided if we had other fail-safes in place,
7 more modern policies that had fail-safes in place to
8 protect against situations like this.

9 Q. Do you agree that it's the department's
10 prerogative and not yours to determine when and if a
11 policy is outdated?

12 A. Yes.

13 Q. You wrote at U-15 that you received, quote, "an
14 unprecedented punishment," end quote. What did you mean
15 by that? What is unprecedented about it?

16 A. Because nobody has ever been demoted for a
17 situation like this.

18 Q. When you say "a situation like this," what do
19 you mean?

20 A. To my knowledge, there's never been a
21 supervisor demoted for the actions of a detective or
22 never been a supervisor demoted based on his oversight of
23 an employee to that extent.

24 Q. Does the fact that the department responded the
25 way it did indicate to you that it thought what happened

1 was among the more serious scandals its had?

2 MR. BLANCHARD: Objection.

3 MS. KIBLER: Object to form.

4 MR. BENSON: Objection.

5 THE WITNESS: Can you repeat that?

6 BY MR. MANCE:

7 Q. Yeah. Does the fact that the department
8 responded the way it did indicate to you that it thinks
9 what happened was very serious?

10 MR. BLANCHARD: Objection to form.

11 THE WITNESS: Yes.

12 BY MR. MANCE:

13 Q. You wrote at U-15 that, quote, "Defendants in
14 this case --" this is referring to, I believe, the -- I
15 think this is referring to Abe's first case -- "hired a
16 consultant expert witness to review current policies,
17 procedures and best practices, and his findings indicate
18 and support that," ellipses, "we were lacking in basic
19 training --" excuse me, "basic testing equipment and
20 oversight."

21 What was it that the expert said, if you
22 recall, about basic failures of oversight?

23 A. I don't know specifically what he said, but I
24 did include his memorandum somewhere in all this.

25 Q. At U-15, you refer to, quote, "multiple

1 attempts," again, ellipses, "to have Detective Abdullah
2 reassigned to a different unit," end quote. If you were
3 very eager to get Detective Abdullah out of the unit and
4 had suspicions or were aware of suspicions related to his
5 work, why did you not scrutinize his work more?

6 A. My reasoning for wanting Abdullah transferred
7 to another unit was more so on the personality conflict
8 piece than it was necessarily his work product.

9 Q. You wrote -- this is at U-15 -- that the
10 department, quote, "kicked the can down the road," end
11 quote, with respect to Detective Abdullah and his known
12 problems. Do you remember writing that?

13 A. Yes.

14 Q. You wrote that he failed to graduate the
15 academy; is that correct?

16 A. Right.

17 Q. Tell me what you know about that.

18 A. So he flunked out of the initial academy. I
19 don't know the specifics, but I think I was told
20 academic, and they recycled him into the next academy,
21 the following academy, at which point he made it through.

22 Q. You wrote that he was recommended, quote, "not
23 to get off field training by both of his training
24 officers," end quote. What does that mean?

25 A. So, basically, when you're on your initial --

1 you get out of the police academy and you're assigned to
2 a training officer, there's two portions to that over, I
3 think, a 20 -- maybe a 20-week period. I'm not 100
4 percent on that. But, basically, both of his trainers --
5 Detective Gretchen Peterson was one and the other one was
6 Detective Sonny Woodard -- indicated that he should not
7 make it off training.

8 Q. You wrote that he had, quote, "multiple
9 personality conflicts," end quote. Why did you write
10 that?

11 A. Because I was trying to indicate that pretty
12 much everywhere he had gone in the department, he had
13 conflicts on his squads, so I was basically trying to
14 indicate that due to all these things being overlooked
15 prior to him landing on my squad contributed to what
16 happened. Basically, if these things had been addressed
17 earlier, he would, (A) either not been there or possibly
18 assigned to a squad that was more fitting of his
19 personality.

20 Q. You wrote that he had, quote, "issues on his DD
21 Patrol Squad up to the date he was placed on
22 administrative leave," end quote. What does that mean?

23 A. Issues on his DD, Downtown District Patrol
24 Squad, so that's just where he was assigned. He had
25 issues with squad members there as well.

1 Q. When you say "issues," do you mean issues with
2 other officers or issues in the course of his work, like
3 in the street?

4 A. Other officers.

5 Q. Was Detective Abdullah Raleigh's Police Officer
6 of the Year in 2013?

7 A. I don't know if he was the Officer of the Year,
8 but I know he won an award for warrant service.

9 Q. For warrant service?

10 A. Yes.

11 Q. I'm going to ask you some questions now about
12 statements that you made to Deputy Chief Jordan in your
13 August 30th, 2022 appeal hearing.

14 In your appeal hearing, you said -- this is at
15 X-2.

16 (Exhibit X was identified for the record.)

17 BY MR. MANCE:

18 Q. Quote, "I further indicated to Detective
19 Abdullah that it was his responsibility to confirm the
20 prosecutable audio and video footage being obtained
21 before bringing charges against the subjects." Do you
22 remember saying that?

23 A. Yes.

24 Q. I know this is going to get an objection, but
25 doesn't this essentially mean that you told a person who

1 you knew needed more supervision that he could reasonably
2 expect that you would not be reviewing his audio and
3 video footage moving forward?

4 MR. BLANCHARD: Objection. You're correct.
5 That will get an objection.

6 THE WITNESS: No.

7 BY MR. MANCE:

8 Q. Would that not have been one of his takeaways
9 from that conversation?

10 MR. BENSON: Objection.

11 THE WITNESS: I can't speculate on what his
12 takeaway would have been.

13 BY MR. MANCE:

14 Q. Do I understand that -- okay. Let's talk about
15 this statement. You said, "I indicated to Detective
16 Abdullah it's his responsibility to confirm the audio and
17 video footage was obtained before you bring any charges."

18 So when you say it's his responsibility, did he
19 have the belief following that conversation that you were
20 going to be looking at his videos?

21 A. I don't know what his belief would have been,
22 but it's any detective's responsibility to make sure that
23 they have that.

24 Q. Was it your responsibility as sergeant to pull
25 those videos and determine for yourself so that you

1 didn't have to rely on his word that the corrective
2 instructions that you had given him were being followed?

3 A. No.

4 Q. That was not your responsibility?

5 A. No.

6 Q. In your 2020 evaluation -- this is N-39, which
7 was completed a month after the raid.

8 (Exhibit N was identified for the record.)

9 BY MR. MANCE:

10 Q. It said, quote, "You bear the responsibility of
11 developing detectives' investigative skills." Does that
12 sound correct?

13 MR. BENSON: Objection.

14 THE WITNESS: It's just all boilerplate. They
15 all say the same thing.

16 BY MR. MANCE:

17 Q. Okay. Did your 2020 evaluation indicate that
18 you bear the responsibility of developing your
19 detectives' investigative skills?

20 A. Yes.

21 Q. Okay. Does developing those skills,
22 particularly when it comes to critical skills like
23 directing informants, necessitate following up and
24 watching things like buy videos?

25 A. No.

1 Q. In your appeal hearing -- this is at X-4 -- you
2 said, quote, "Most of the complaints were surrounding
3 Detective Abdullah's handling of the CI and Aspirin's
4 sloppy camera work. As the supervisor, it's my
5 responsibility to weigh whether these complaints were
6 primarily a result of ongoing personality conflicts and a
7 way for the detectives to express their overall dislike
8 for Abdullah." What did you mean by that?

9 A. It's the same thing I've been repeating over
10 and over. Basically, I was weighing whether or not the
11 complaints were based on the personality conflicts or if
12 they had validity on their own, the same thing I've been
13 saying.

14 Q. So did you have questions about the veracity of
15 what the detectives were telling you about what the buy
16 videos showed or did not show?

17 MR. BLANCHARD: Objection.

18 THE WITNESS: The veracity wasn't necessarily
19 related to the buy videos. It was overall just the same
20 thing I've been saying. It was not specific to the
21 videos all the time.

22 BY MR. MANCE:

23 Q. When I look at that statement, should I take
24 you to mean that you suspected that the detectives might
25 just be trying to get Abdullah in trouble because they

1 didn't like him?

2 A. Not necessarily trying to get him in trouble.
3 Just like I've been saying, there's a way for them to
4 vent and a way for them to highlight their overall
5 dislike.

6 Q. Would you agree that there's kind of two
7 options when they come to you and tell you something like
8 they told you; that either they are accurately relating
9 their subjective impressions about Abdullah and his
10 trustworthiness and Williams and his trustworthiness or
11 they are misleading you in an attempt to get them into
12 trouble?

13 MR. BLANCHARD: Objection.

14 MS. KIBLER: Objection.

15 MR. BENSON: Objection.

16 MS. POOLE: Objection.

17 MR. MANCE: I'm just trying to drill down.

18 THE WITNESS: It's just all speculative. You
19 know, it's -- it's the same thing that I've been saying
20 10 times prior. I was in the process of evaluating
21 whether it was, "We don't like Abdullah, let's bitch
22 about him," or the complaints were actual, valid
23 complaints.

24 BY MR. MANCE:

25 Q. Yeah, and I guess the reason I keep hovering on

1 this is, wouldn't that mean you have a squad of
2 detectives who are willing to lie to their supervisor --

3 A. No.

4 Q. -- and falsely accuse a coworker, and wouldn't
5 that have also been a big problem for your squad?

6 A. No, no lying. They're just -- they were
7 venting their frustrations.

8 Q. So you believed they were telling the truth?

9 A. I believe they were sharing what their opinion
10 was on all of it. I don't think anybody was lying. It
11 was all just what their opinion was.

12 Q. Would you agree it would be a big problem if
13 detectives did lie to you to try to get another detective
14 out of the unit?

15 A. Yes.

16 Q. Okay. Were your suspicions that they may have
17 had some secondary motive enough -- let me reword this.

18 Were your suspicions that they had a secondary
19 motive in coming to you about this strong enough that you
20 did not feel the need to review the footage?

21 A. No.

22 Q. No, they were not strong enough?

23 A. I don't think their concerns were anything that
24 would sway me one way or the other about the footage.

25 Q. Okay. You stated -- this is at X-5 and 6 --

1 that part of your job was to keep things harmonious among
2 the group of detectives who didn't like one another. You
3 said you held, quote, "weekly meetings," end quote, to
4 address, quote, "personality conflicts." Do you remember
5 saying that?

6 A. Yes.

7 Q. Who specifically disliked who in the unit when
8 you were in charge?

9 A. Everybody disliked Abdullah and everybody else
10 got along great.

11 Q. So that was it? It was just everyone versus
12 Abdullah?

13 A. And, actually, it wasn't even versus Abdullah.
14 It was people had problems with -- they weren't against
15 Abdullah as a person. They just -- they were just not
16 cohesive. They were -- I wouldn't categorize it as a
17 ganging up or whatever. They just did not -- nobody got
18 along with the guy.

19 Q. Detective Abdullah told us when we deposed him
20 that you called him after the raid at our clients' homes
21 and you told him that you weren't mad at him, and he said
22 it was also a call where you had talked to him about
23 being transferred to the Transit Unit. Do you remember
24 that call?

25 A. I remember talking to him at some point, but I

1 don't remember the specifics of it.

2 Q. What do you remember about that phone call?

3 A. I don't remember anything other than having it.

4 Q. Did you have any other phone calls with
5 Abdullah after he was put on leave?

6 A. I would check in on him from time to time, just
7 to make sure he was doing okay.

8 Q. Did you speak to him after Internal Affairs let
9 you know they were going to be looking into you?

10 A. I don't remember specifically, but maybe.

11 Q. Have you spoken to the other detectives since
12 the Internal Affairs investigation into you started?

13 A. Yes.

14 Q. Do you maintain -- do you stay in touch with
15 them?

16 A. Yes.

17 Q. In your appeal hearing -- this is X-7 -- you
18 said that Internal Affairs had made a, quote, "assertion
19 that you could have influenced that May case," so that
20 May case is -- and you disputed that. You said, "I was,"
21 quote, "out of town on vacation." That May case refers
22 to the Marcus VanIrvin arrest and the raid on my clients'
23 homes.

24 Do you agree that by May 20th, there were a
25 dozen videos that you could have accessed with the touch

1 of a button that would -- that had you done that, would
2 have prompted you to discontinue Aspirin as an informant?

3 MR. BLANCHARD: Objection.

4 MR. BENSON: Objection.

5 BY MR. MANCE:

6 Q. Let me just try that again. I'll withdraw that
7 question.

8 By May 20th, were there a dozen videos
9 available to you of purported buys involving Aspirin?

10 A. Available to me, yes.

11 Q. Do you believe that if you had watched those
12 videos, you would have discontinued him as an informant?

13 A. Maybe.

14 Q. What is the reason that your answer is not yes?

15 A. Because without having reviewed the videos, I
16 don't know -- I can't really speak on what they would
17 have contained or not.

18 Q. Do you entertain suspicions that the police
19 department has misrepresented what the videos show or do
20 not show?

21 A. No.

22 Q. You said -- this is at X-8 -- quote, "There was
23 nothing occurring visibly or on the surface that was
24 anything different than any of the other -- any other
25 drug deal that we were familiar with," end quote. Do you

1 stand by that statement?

2 A. Yes.

3 Q. Is what occurred in this case representative of
4 how RPD generally handles drug buys involving CIs?

5 A. Yes.

6 Q. You told hearing officers -- this is at X-14 --
7 that you thought Raleigh PD was, quote, "negligent," end
8 quote, in ignoring a memo to Dottie Kibler and some other
9 recommendations, including from you, to purchase
10 something called Trunarc that you said would have helped
11 identify Williams as a dishonest informant sooner. Why
12 did you believe the department was negligent?

13 MS. KIBLER: Objection.

14 THE WITNESS: Because the Trunarc device is
15 good in more than one way. It's a way that you can test
16 narcotics, including fentanyl, which is very deadly. It's
17 airborne. It can kill you.

18 So twofold, that it would protect officers
19 because you have the ability to test drugs through
20 packaging without taking them out of the package, and it
21 could identify immediately whether it was a
22 non-controlled substance, so if we had had the Trunarc
23 capabilities, you know, this could have been stopped much
24 sooner in the investigation.

25 BY MR. MANCE:

1 Q. Does the department have Trunarc today?

2 A. Yes, they do.

3 Q. Do you know when they got it?

4 A. After my thing. I'm not sure exactly when.

5 Q. What was -- you also reference Ms. Kibler in
6 that passage. What was her role in that?

7 A. I don't know what her specific role was, but
8 the major of the detective division, I believe, sent her
9 recommendations for basically kind of preventing this
10 sort of thing from occurring again and part of that
11 recommendation was the purchase of the Trunarc equipment.

12 Q. You told hearing officers at X-18 that your,
13 quote, "partner sergeant at the time rarely checked
14 reports," end quote. Was that Chuck Lynch you were
15 referring to?

16 A. Yes.

17 Q. You told them that Chuck was, quote, "A very
18 poor administrative task," end quote, sergeant and,
19 quote, "He basically would not check any of these
20 reports. I was the one that was fully responsible for
21 checking every single drug-related report in the City of
22 Raleigh with very few exceptions," end quote.

23 And you said that you were -- that there were
24 instances where the queue would get up to 400 cases at
25 once. Is that statement accurate?

1 A. Yes.

2 Q. Who in the department put this all on you?

3 A. Oh, there's nobody that specifically did. It's
4 one of those deals where it's a responsibility that has
5 to occur, and if I didn't do it, it would just sit there
6 and build up and build up. There were a few other
7 detectives -- or detective sergeants -- on a rare
8 occasion, Sergeant Lynch would check a few. There were
9 sergeants in other drug-related units that had access to
10 the queue that occasionally would check a few, but
11 primarily, I was checking them.

12 Q. Did you complain about your workload?

13 A. No.

14 Q. Did you ever say to anyone above you, "This is
15 unreasonable to have one person exercise oversight of all
16 these reports when there are things like home raids that
17 turn on them being accurate"?

18 A. Home -- I'm sorry, I didn't understand that.

19 Q. I'll reword the question. Did you ever say to
20 anyone above you in rank that you thought it was
21 unreasonable to have just one person be responsible for
22 all this, given the importance of that information being
23 accurate?

24 A. I may have mentioned it kind of in passing to
25 my lieutenant, but not to the point where I would say I

1 was saying to him that this was unreasonable, maybe just
2 a general griping, but not anything more than that.

3 Q. Were you aware that two of your detectives,
4 Rattelade and Gay, both used the phrase, quote, "running
5 joke," independent of one another to describe the unit's
6 opinion of how unreliable and dishonest Aspirin was?

7 A. No.

8 Q. You were not aware they made those statements?

9 A. Not until I read the --

10 Q. And those are at P-20 and K-26.

11 MS. POOLE: P-20 and what?

12 MR. MANCE: P-20 and K-26.

13 BY MR. MANCE:

14 Q. You also said -- this is at X-19 -- quote, "I
15 had no indication that Detective Abdullah was not
16 following these directives and, therefore, had no reason
17 to follow up." Do you still feel that way?

18 A. Yes.

19 Q. Do you believe that you did not have a
20 responsibility to do as IA said and to follow up?

21 A. As IA said?

22 Q. Uh-huh. They found that -- in their findings,
23 they found that you should have done that. Do you
24 disagree with that?

25 A. I do at the time that it was occurring.

1 Q. RPD has a policy that says, quote, "Officers
2 must have another officer accompany them when meeting an
3 informant," end quote. You acknowledged at X-21 that you
4 were aware of that policy, but you said it wasn't
5 followed in the department, that it was, quote,
6 "extremely common," was your quote, for officers to meet
7 CIs alone because there was a, quote, "precedence of
8 practice of detectives meeting informants alone within
9 all the Drugs and Vice units," end quote, after, quote,
10 "the initial contacts were made," end quote.

11 You also said, quote, "That is known by all the
12 supervisors over there that occurs," end quote. That's
13 at X-21. Do you recall saying that?

14 A. Yes.

15 Q. What are the names of the people above your
16 rank who were aware that the actual common practice of
17 your detectives was different than the written
18 departmental policy?

19 A. Jennings Bunch, Captain Quick, Captain Amstutz,
20 everybody. I mean, literally everybody, especially if --
21 for the most part, anybody that was a upper-level
22 supervisor in the drug unit came from the drug unit, so
23 they -- you know, through progression, they were familiar
24 with how that was.

25 Q. What indication did you receive from your

1 supervisors that it was okay to deviate from the written
2 policies in these instances?

3 A. There were no conversations of it. It was just
4 status quo. There was no -- well, there was nobody
5 around saying, "This is okay, that's okay." You just do
6 it. You've learned to do from your predecessors.

7 Q. So to be clear, during your time as sergeant,
8 did anyone above your rank come to you and say, "It is
9 okay to do these things, even though they contradict the
10 written policy"?

11 A. No.

12 Q. Did you assume -- you assumed it was okay?

13 A. Yes.

14 Q. Based on sort of things you observed within the
15 department?

16 A. Practice, yes.

17 Q. Okay. Why didn't higher-ups in the department
18 change the written policy to align with the actual
19 practice, if they were aware of it and they approved of
20 it?

21 MS. KIBLER: Object to the form.

22 THE WITNESS: I mean, it's just basically like
23 nothing gets fixed until there's some catastrophic
24 failure, just like this situation, so nothing gets the
25 microscope until it's time to get the microscope. It's

1 just -- I mean there's hundreds of policies that -- the
2 police department and the City have thousands of policies
3 that, you know, you don't have specific knowledge of
4 every word, so it's just -- it's not so much like they
5 are giving you approval to violate the policy. You know,
6 they just don't receive the attention that these have
7 until something catastrophic occurs.

8 Q. Would you agree that with respect to some of
9 these areas we have discussed, there was a significant
10 deviation between the practice and the policy?

11 A. Yes.

12 Q. And that department supervisors were aware of
13 that?

14 A. Yes.

15 Q. And chose to maintain the existing policies as
16 they were?

17 A. Yes.

18 MS. KIBLER: Object to the form.

19 BY MR. MANCE:

20 Q. I'll ask you the same thing with the lock box.
21 You said at X-22 this is, quote, "precedent of literally
22 every drug unit within RPD as well as GSU." Is that
23 correct?

24 A. Yes.

25 Q. And --

1 A. Now, let me clarify that. That was correct at
2 the time. I think there's been significant cleaning up
3 of these type things post this situation to correct some
4 of those behaviors.

5 Q. And what does GSU stand for?

6 A. Gang Suppression Unit.

7 Q. Were supervisors -- was Lieutenant Bunch aware
8 of the lock box practice during your time as sergeant of
9 the unit?

10 A. I don't know specifically, but I would assume
11 so.

12 Q. And just to clarify for the record, by
13 "practice," I mean the fact that detectives in the unit
14 had knowledge of the location of the key to the lock box.
15 Was he aware of that?

16 A. I can't answer to that.

17 Q. Okay. Did you -- were you the one who told the
18 detectives in the unit where they could find that key?

19 A. I told my ATL, Detective Rattelade, where the
20 key was. In my absence, he was responsible for giving
21 the money.

22 Q. Are you aware of how others came to know where
23 the key was?

24 A. I assume when he was -- Detective Rattelade
25 went to get the money, they probably saw where it was.

1 Q. You told hearing officers -- this is at X-27 --
2 that Abdullah could, quote, "go as long as he did without
3 producing case files for court," end quote, because,
4 quote, "everything was being pled out, so there was never
5 actually really a need for these files because most
6 everything got pled and very little of it ever made it to
7 trial." Did you make that statement?

8 A. Yes.

9 Q. You also said that, quote, "People that
10 submitted their case files for review," end quote, were
11 basically just doing it, quote, "just because they were
12 detail oriented," end quote. Did you actually require
13 officers to create and maintain case files?

14 A. No.

15 Q. What were the requirements or expectations?

16 A. To what?

17 Q. With respect to case files.

18 A. The case files are -- so back on the point of
19 everything getting pled out, so in any non-contested --
20 well, if something was going to be contested and you know
21 it's going to go to trial, you have to provide a complete
22 case file to the DA's office so they can, in turn,
23 provide a copy to the defense, so that was the
24 requirement that they had a complete file for contested
25 cases.

1 Q. Do you agree that Raleigh PD has a written
2 policy requiring maintenance of case files related to
3 arrests and prosecutions?

4 A. Yes.

5 Q. Do you agree -- and I'm going to quote from
6 X-29 here -- that, quote, "Policy places the burden of
7 ensuring the proper procedures are utilized by detectives
8 during case investigations on the supervisor of the
9 unit"?

10 A. Can you --

11 Q. I can read it slower.

12 A. Yeah.

13 Q. "Policy places the burden of ensuring proper
14 procedures are utilized by detectives during case
15 investigations on the supervisor of the unit." It's kind
16 of a weirdly worded sentence, but, essentially, they're
17 saying supervisors bear the burden of making sure that
18 detectives follow proper procedures.

19 A. I mean that's kind of a vague thing and there
20 was a couple things that came up during this
21 investigation where they were implying a case file -- or
22 case squad oversight on a drug unit, which it didn't fit
23 the -- what our type work was involved in.

24 Q. Yeah, you maintained in your IA hearing that
25 the case file policy didn't apply to your squad at all,

1 right?

2 A. Right.

3 Q. Did you find it strange that a disagreement
4 could exist between you and Internal Affairs about
5 something as basic as whether there was a policy to
6 maintain case files?

7 MR. BLANCHARD: Objection.

8 THE WITNESS: No.

9 BY MR. MANCE:

10 Q. How could it be that Internal Affairs and you,
11 as sergeant, could disagree about that subject?

12 A. Because you have an office-type investigator
13 that doesn't have any knowledge of drug units or the way
14 drug units are operated, trying to apply rules from a
15 book when he doesn't really have a general working
16 knowledge of drug investigation and prosecution of drug
17 cases.

18 Q. Outside of referring to the policy, itself, did
19 anyone ranked above you ever tell you specifically that
20 the policy regarding case files did not apply to your
21 unit?

22 A. Nobody that I would mention.

23 Q. So someone did tell you?

24 A. Somebody agreed with my assessment that that
25 did not match the -- our style of work.

1 Q. But you would be unwilling to share their name?

2 A. Right.

3 Q. Is this someone in the department?

4 A. I don't want to share anything about it.

5 Q. Okay. Before you assumed that your detectives
6 didn't have to maintain case files, why didn't you ask
7 for clarification?

8 A. I didn't assume that they didn't have to have
9 case files. That was in relation to a policy -- an
10 oversight policy for case-related squads.

11 Q. Did IA ultimately find that you had violated
12 this case file policy that you contended did not apply?

13 A. Yes.

14 Q. Do you maintain that despite that, that policy
15 still does not apply in the department?

16 A. It applies to case squads, not drug squads, so
17 a case squad is -- the wording of that policy -- and I
18 don't know it verbatim. It's probably in there
19 somewhere. It basically says supervisors who assign
20 cases basically have like 30 days, or something along
21 those lines, to follow up and make sure that, you know,
22 the cases are progressing and it's in reference to -- so,
23 say an assault squad or a domestic violence squad or
24 something where a detective is assigning -- or a
25 detective sergeant is assigning you this case. "Here,

1 Detective, go investigate this house burglary." And then
2 the fail-safe there is that after a certain amount of
3 days, you're checking to determine that the detective has
4 done the steps necessary to proceed with the case and
5 either continue or close it out, whereas a drug unit,
6 they are not assigned cases. They make their own cases,
7 so it doesn't apply. It's a policy that was, in my
8 opinion, specifically designed for a case-related squad,
9 not a self-generated drug unit.

10 Q. Your performance review, which is at N-59,
11 describes, quote, "Essential job responsibilities," end
12 quote, to include, quote, "maintaining case assignment
13 logs," end quote. You just said your unit was not a case
14 assignment unit.

15 A. No.

16 Q. How do you reconcile the two?

17 A. So can you clarify what you're asking?

18 Q. Yeah. So on your employee evaluations, when
19 they list your essential job responsibilities, one of
20 them is maintaining case assignment logs, so it talks
21 about case assignment. It uses that phrase. How do you
22 reconcile that with sort of what you just --

23 A. I reconcile it's just all boilerplate stuff
24 that's passed from whoever to whoever. Every -- I would
25 beg to say that every single one of them says the same

1 thing, and then they'll cut something out and add
2 something more specific to their -- you know, if they
3 felt the effort to do so. But for the most part, it's
4 just all kind of boilerplate stuff.

5 Q. You said -- and I'm looking at X-32 here -- to
6 IA, when you were discussing -- they had written that
7 there were some mitigating features in your case and you
8 wrote that that was, quote, "a recognition that practice
9 and policy were completely different." Am I right to
10 take that to mean that you feel that IA did recognize
11 there are instances where policy and practice are
12 different?

13 A. Yes.

14 Q. Okay. You told IA -- this is at X-32 as
15 well -- quote, "Historically, Drugs and Vice has kind of
16 been the dumping ground of either people that don't
17 necessarily have somebody politicking to get them or have
18 no particular skill set." Is that still your belief?

19 A. Yes.

20 Q. You told IA that RPD, quote, "ruined your
21 career within 5 months of retirement," end quote, and
22 that it was, quote, "a hard pill to swallow." That's at
23 X-34. Is that how you still feel?

24 A. Yes.

25 Q. That this series of events involving Abdullah

1 and Williams ruined your career?

2 A. Yes.

3 Q. You told the hearing officer that, quote --
4 this is at X-35 -- "The fact of the matter is a large
5 majority of the policies that I got penalized for are
6 commonly practiced, had been and probably still are," end
7 quote. Why did you say "probably still are"?

8 A. Well, basically, it's -- you know, people are
9 creatures of habit. I know post my situation, the City
10 Attorney's office and the command of the Drugs and Vice
11 Units had multiple meetings, basically trying to clean up
12 all the things that kind of contributed to how this
13 occurred and, hopefully, for the betterment of the
14 department and, you know, for the protection of the
15 public later on. But, you know, it's kind of like, well,
16 the teacher is here now. We better act straight. But
17 when they're gone, they may, you know, slide back into
18 old habits.

19 That's just complete speculation, but -- and,
20 you know, I've been gone from there for a while, so I
21 can't say what they are or not doing, but it's just kind
22 of a "old habits are hard to break," I guess, kind of
23 deal.

24 Q. Are you familiar with the plaintiffs who have
25 sued you and the detectives in this case?

1 A. Not specifically. I mean, familiar with when I
2 dealt with them during the -- each investigation.

3 Q. In your interactions with Internal Affairs, did
4 you ever express concern for the people who were
5 wrongfully arrested in this case?

6 MR. BLANCHARD: Objection.

7 THE WITNESS: I think I did.

8 BY MR. MANCE:

9 Q. You think you did?

10 A. Yeah.

11 Q. Would that be in the IA materials?

12 A. Probably.

13 Q. Do you know where I could find that?

14 A. I think it was probably in -- there was a
15 couple references to the Trunarc equipment. It may have
16 been somewhere in there. A couple other different places
17 where I indicated that, you know, if we had had these
18 resources available to us, you know, this sort of thing
19 might not have happened to the people. I don't remember
20 where it was, but I know there's probably a reference or
21 two in there.

22 Q. Have you expressed -- did you, in the course of
23 your meetings with IA, express concern for the wellbeing
24 of the people whose homes were searched pursuant to
25 warrants that included incorrect information?

1 A. No.

2 Q. Are you aware that my clients, Kenya Walton and
3 Yolanda Irving, are public school bus drivers here in
4 Wake County?

5 A. No.

6 Q. And that they work with special needs children?

7 A. No.

8 Q. Do you have any reason to think they're drug
9 dealers?

10 A. I don't know the circumstances of -- I don't
11 know. I can't answer that.

12 Q. I'm just asking if you are aware of any facts
13 personally that would make you think they're drug
14 dealers?

15 A. No.

16 Q. You're not?

17 A. (Witness shakes head.)

18 Q. Are you aware of any facts personally that
19 would make you think they're involved with drug dealers?

20 MR. BLANCHARD: Objection.

21 THE WITNESS: I don't know either way. There's
22 a lot of people that have good, regular jobs and are
23 associated with drug dealers.

24 BY MR. MANCE:

25 Q. Are you aware of any facts --

1 A. I'm not aware of anything, any facts to
2 associate them with drug dealers. I wasn't here for
3 that.

4 Q. Do you have any information or reason to
5 believe, sitting here today, two years removed from this
6 incident, that they or anyone in their home was letting
7 Marcus VanIrvin sell or traffic illegal drugs there?

8 A. I don't know.

9 MR. BLANCHARD: Objection.

10 THE WITNESS: I'm not familiar with the case.
11 I wasn't here when it occurred.

12 BY MR. MANCE:

13 Q. I'm just asking you about your personal
14 knowledge.

15 A. I don't have any personal knowledge. I don't
16 try to involve myself in the backgrounds of following
17 this investigation on any of the defendants.

18 Q. Okay. I'm going to show you a report. This is
19 going to be Exhibit Y, the last one, if you could just
20 turn to that.

21 (Exhibit Y was identified for the record.)

22 BY MR. MANCE:

23 Q. This is a three-page document. I would just
24 like you to read this document and tell me if, as a
25 former supervisor of the Drugs and Vice Unit, anything

1 stands out to you.

2 A. (Witness complies.) Not really.

3 Q. If you had been in town and presented this --
4 with this report, is there anything that you know for
5 certain you would have done if you had had a chance to
6 review it?

7 MR. BLANCHARD: Objection. Go ahead. Answer
8 if you can.

9 THE WITNESS: No.

10 BY MR. MANCE:

11 Q. Do you agree that the report indicates on
12 page 3 that Marcus VanIrvin was, quote, "residing at the
13 apartment and that he had sold the CI drugs out of the
14 apartment and that the detectives intended to raid the
15 apartment"?

16 A. That's what it says.

17 Q. Would it have concerned you that Detective
18 Abdullah used two different addresses, 1620-B and 1628-B,
19 interchangeably on pages 1 and 3 of this report to refer
20 to Marcus VanIrvin's residence?

21 A. Well, I guess it just depends on whether or not
22 you would consider any background information as to if he
23 resided at one address and may or may not be dealing out
24 of another address, but --

25 Q. Would you agree that that report makes clear

1 that the police officer believed that he was residing out
2 of the home he was selling drugs out of?

3 MR. BLANCHARD: Objection.

4 THE WITNESS: I wouldn't say that.

5 BY MR. MANCE:

6 Q. You wouldn't say that? Why would you not say
7 that?

8 A. That's speculative to me.

9 Q. Okay. I'm going to read this first line. "A
10 confidential informant was utilized to purchase an amount
11 of heroin from a black male who goes by the name Marcus,
12 and same," same is referring to Marcus, "is residing at
13 1628 Burgundy Street, Apartment B. According to the
14 confidential informant, Marcus is selling heroin out of
15 the apartment."

16 Is it reasonable to read that passage the way
17 you just described?

18 A. I don't really have a comment on that. You're
19 asking me to speculate on a case that --

20 Q. I'm not asking you to speculate. I'm saying --

21 BLANCHARD: Actually, you are.

22 BY MR. MANCE:

23 Q. Okay. Well, let me try another question.
24 Would you agree that this -- this line that I just read
25 to you indicates that Marcus was selling heroin out of

1 the apartment that he was residing in?

2 A. For a case that I wasn't here to witness or
3 have any part in, I don't --

4 Q. Would you agree those are the plain meanings of
5 the words?

6 A. I don't feel comfortable answering any
7 questions about a case I wasn't involved in.

8 Q. Is that your name at the bottom of the page?

9 A. It is.

10 Q. Okay. So you reviewed this report at some
11 point?

12 A. 5/30.

13 Q. Okay. Is it fair to say you did not notice the
14 discrepancy in the dates?

15 A. Yes.

16 Q. Okay. If you hadn't --

17 A. Do you mean dates or addresses?

18 Q. Excuse me. Thank you for clarifying. Is it
19 fair to say that you did not notice the discrepancy in
20 the addresses?

21 A. Yes.

22 Q. Thank you. If you had noticed the
23 discrepancies in the addresses, as sergeant, would you
24 have taken steps to make sure Detective Abdullah verified
25 the address?

1 A. Yes.

2 Q. And that the SEU team raided 1620, not 1628?

3 MR. BENSON: Objection.

4 MS. POOLE: Objection.

5 MS. KIBLER: Objection.

6 THE WITNESS: Well, it would be based upon the
7 clarification, what address was what.

8 BY MR. MANCE:

9 Q. Okay. Do you agree that addresses are a very
10 important detail?

11 A. Yes.

12 Q. Do you agree that it's imperative that
13 detectives get the addresses right and consistently use
14 the right address in all of their written materials?

15 A. Yes.

16 Q. Sitting here today, do you understand how your
17 officers would end up at the wrong address?

18 MR. BLANCHARD: Objection.

19 MS. KIBLER: Objection.

20 MR. BENSON: Objection.

21 MS. POOLE: Objection.

22 THE WITNESS: I'll go back to what I said. I'm
23 not going to comment on anything that I wasn't here for.

24 BY MR. MANCE:

25 Q. Okay. Do you believe your officers raided the

1 right home?

2 A. Yes.

3 Q. You do?

4 A. I do.

5 Q. So you think Yolanda Irving was involved in --

6 MR. BLANCHARD: Objection.

7 BY MR. MANCE:

8 Q. Do you think Yolanda Irving was involved in
9 drug activity?

10 A. I don't have any knowledge of this case. I
11 wasn't present here for it and I'm not going to answer
12 any other questions about speculation into any of the
13 people that are there. I don't know anything about them.

14 Q. So there are certain questions today you will
15 not answer?

16 A. Right.

17 Q. Okay. Were you not curious to understand what
18 happened in this case?

19 A. This case or the case in general?

20 Q. With respect to the home search.

21 A. I wasn't necessarily specifically interested in
22 the case. I was -- you know, at that point, the
23 informant had been blacklisted, so I was more concerned
24 for my detectives and see what was -- what had happened,
25 so the specifics of the case, in general, not any

1 specific interest, just more so --

2 Q. How many years have you worked for the Raleigh
3 Police Department?

4 A. 27.

5 Q. And your testimony is that this incident ruined
6 your career?

7 A. This in its entirety, yes.

8 Q. And this incident was something that you were
9 out of town for when it happened?

10 A. Right.

11 Q. So your career is ruined for something that
12 happens when you're out of town; is that correct?

13 A. No, this situation in its entirety, not just
14 this case.

15 Q. Is it your testimony that you did not have
16 curiosity as to how this came about?

17 A. How what came about?

18 Q. How it is that your officers ended up at my
19 clients' homes.

20 A. I had an interest in what happened, but, you
21 know, the way you're forming your question is if I had
22 interest in the -- you know, it's not so much that I was
23 disinterested in the case in general. It was more so my
24 interest didn't necessarily lie in the background of this
25 investigation, more of the outcome, what happened, what

1 went wrong, what needs to be fixed, et cetera.

2 Q. Mr. Schewel deposed Detective Abdullah. I'm
3 going to reference B-54. And Detective Abdullah
4 testified that he did not attempt to verify who was
5 living at 1628-B Burgundy Street. Would that be
6 consistent with how you would expect your drug detectives
7 to act when seeking a search warrant?

8 MR. BENSON: Objection.

9 THE WITNESS: I would say that's kind of, you
10 know, out of the context. I don't know what context that
11 was in. You know, you're quoting one line from a
12 interview without the background information, what was
13 asked.

14 BY MR. MANCE:

15 Q. Did you earlier testify that it's a very
16 important detail to get correct addresses?

17 A. Yes.

18 Q. In light of that, if Detective Abdullah did not
19 attempt to verify who was living at that address, would
20 that be a mistake?

21 A. Not necessarily. I mean, it just depends on,
22 you know, if the deal occurred in that address, he bought
23 drugs out of that address from that person, not
24 necessarily a requirement that you find out who else
25 lives there or other information about other occupants.

1 Q. Detective Abdullah also told Mr. Schewel that
2 he did not verify in any way that his target, Marcus
3 VanIrvin, was affiliated with that address. Is that
4 consistent with how you understand your detectives should
5 operate?

6 MS. KIBLER: Object to the form.

7 THE WITNESS: You're saying that he's
8 affiliated -- whether he was affiliated or not with that
9 address, if he sold drugs out of the address, it would
10 still support a search warrant.

11 BY MR. MANCE:

12 Q. Would you typically permit your detectives to
13 raid homes without doing anything to verify the
14 occupants?

15 MR. BLANCHARD: Objection.

16 THE WITNESS: The -- excuse me. The probable
17 cause for search warrants is the totality of a lot of
18 different things. You don't necessarily have to identify
19 every occupant or who may or may not reside there, basing
20 it off your observations during the buy, whether you can
21 confirm that the buy occurred out of that location or
22 not.

23 BY MR. MANCE:

24 Q. I'm going to ask you --

25 A. A lot of times, we don't even know who the

1 suspect is until after the fact.

2 Q. Were your detectives trained that it is
3 permissible for them to enter a neighboring home without
4 a warrant if they approach a home for which they do have
5 a warrant and see a person who they cannot identify flee
6 into that neighboring home?

7 MR. BLANCHARD: Objection.

8 MS. LIGUORI: Objection.

9 MR. MANCE: What's the objection?

10 MS. LIGUORI: To the form.

11 THE WITNESS: That's all circumstantial. I
12 could say I wasn't here for this case, so I won't comment
13 on what happened.

14 BY MR. MANCE:

15 Q. Do you understand the question I asked you,
16 though?

17 A. If it would be okay for -- to chase somebody
18 into an adjoining property that was not the listed
19 location? Is that what --

20 Q. Yes.

21 A. So, like I said, it would just depend on what
22 the circumstances were. I don't know any background of
23 the case. I don't know if it was somebody that was
24 identified as being involved.

25 Q. My premise was --

1 A. Was there a consent? Was there not? So you're
2 asking me to comment on a case that I've already
3 indicated I'm not comfortable discussing because I wasn't
4 here for it.

5 Q. Are you familiar with Breonna Taylor?

6 A. No.

7 Q. Do you agree that anytime a group of armed
8 people enter a building, aiming weapons, catch the
9 occupants by surprise, that that can be a dangerous
10 situation?

11 MR. BLANCHARD: Objection.

12 MS. KIBLER: Objection.

13 MS. POOLE: Objection.

14 THE WITNESS: All police work is a dangerous
15 situation.

16 BY MR. MANCE:

17 Q. Okay. Do you agree that officers are told
18 these are dangerous situations?

19 MS. KIBLER: Object to the form.

20 THE WITNESS: It's just a known fact that
21 police work is dangerous, inherently dangerous.

22 BY MR. MANCE:

23 Q. Do you agree that even with careful planning
24 and good intentions, tragedies can happen?

25 A. Absolutely.

1 Q. Do you agree, as a police sergeant, when you
2 send officers into another person's home, you're in
3 effect relying on them to conduct themselves
4 professionally with respect to any use of force?

5 A. Yes.

6 Q. Is that an objection or just a sigh?

7 MR. BLANCHARD: No, just a sigh.

8 BY MR. MANCE:

9 Q. Okay. Would you agree --

10 MR. BLANCHARD: Wishing this was over.

11 MR. MANCE: It'll be soon. Well, I wish this
12 didn't happen to my clients.

13 MR. BENSON: Do you have a question?

14 BY MR. MANCE:

15 Q. Would you agree that well-intentioned officers
16 have sometimes been startled and forced to make quick
17 split-second judgments and have accidentally shot and
18 killed people?

19 MS. KIBLER: Objection

20 MS. LIGUORI: Objection.

21 THE WITNESS: I don't have any specific
22 knowledge of it.

23 BY MR. MANCE:

24 Q. Are you familiar with Officer Aaron Dean, who
25 was convicted last month in Forth Worth, Texas, for

1 shooting Atatiana Jefferson in her home?

2 A. No.

3 MS. KIBLER: Objection.

4 BY MR. MANCE:

5 Q. Are you aware that one of the children who was
6 living at 1628 is partially paralyzed?

7 A. No.

8 Q. Are you aware that because of that, he can't
9 respond, as most people can, to orders to move that are
10 being screamed at him by armed police officers?

11 MR. BLANCHARD: Objection. I think he already
12 answered he didn't -- he wasn't aware of the paralysis in
13 the first place, but go ahead and answer if you know.

14 THE WITNESS: No.

15 BY MR. MANCE:

16 Q. Is it a dangerous situation to have an armed
17 officer give commands to a person who they have no
18 information about who's physically incapable of complying
19 and who might also have mental disabilities that inhibit
20 their ability to communicate?

21 MS. KIBLER: Objection.

22 MS. LIGUORI: Objection.

23 THE WITNESS: As a trained police officer, you
24 have enough common sense to be able to tell if that -- or
25 at least have an indication that the person you're giving

1 warnings to is either not understanding or needs
2 additional clarification. It's just common sense.

3 BY MR. MANCE:

4 Q. Are you aware there was a pregnant woman living
5 in 1628?

6 A. I wasn't aware of anything regarding this case.
7 I wasn't here.

8 Q. Can you understand why my clients would be
9 upset that this would happen to them?

10 A. I don't have any --

11 Q. If they didn't have any connection to the man
12 your detectives were looking for?

13 A. I can't speculate on your clients. I don't
14 know who they are.

15 Q. So you can't understand why someone would be
16 upset by that?

17 A. I don't have any opinion on that.

18 Q. You have no opinion?

19 A. Not on that.

20 Q. Did you ever talk to your officers about the
21 importance of respecting people's civil rights?

22 A. I don't have to. They already know. They're
23 well trained.

24 Q. So you never had a conversation about civil
25 rights with your officers?

1 A. No.

2 Q. Ever?

3 A. No.

4 Q. Okay. To your knowledge, was there any
5 discussion within your unit after the May raid on my
6 clients' homes, like, "Hey, we just pointed a gun at a
7 pregnant woman and children; we need to do better"?

8 MS. LIGUORI: Objection.

9 MR. BLANCHARD: Objection.

10 THE WITNESS: My team are drug detectives. The
11 people that do the initial securing of the apartment are
12 tactical officers. They have no purview over them.

13 BY MR. MANCE:

14 Q. Have you ever inquired into the wellbeing of
15 any of my clients?

16 A. No.

17 Q. Have you had any discussions with any of your
18 detectives or your former detectives about the VanIrvin
19 case or the search of my clients' home?

20 A. No.

21 Q. Even when you got back to town, you never
22 talked to them about it?

23 A. Not specifics of the search of the home. Just
24 generalities of what went wrong.

25 Q. Do you have any opinions about the dozen people

1 who served time on the fake heroin?

2 MR. BLANCHARD: Objection.

3 MS. KIBLER: Objection.

4 THE WITNESS: Should I answer?

5 BY MR. MANCE:

6 Q. Yeah.

7 A. I think, in my opinion -- and this is just
8 based on, you know, the people that came to do a drug
9 deal did a drug deal. They were coming to deal drugs and
10 it just so happens that they were duped by an informant
11 that switched the drugs out, so I don't have a lot of
12 empathy.

13 Q. Do you regard that, what happened to them, as
14 an injustice?

15 A. I wouldn't say I would call it injustice. I
16 think it was an unfortunate circumstance and I think
17 we've all somewhat forgotten that the manipulator in this
18 case was the informant. I don't think any of my
19 detectives had any ill effect -- or had any ill will
20 against your defendants. They were doing their job, what
21 they're sworn to do, so --

22 Q. My clients are the plaintiffs.

23 A. Right. Sorry. So can you -- I got lost in my
24 response there. Can you ask the question again?

25 Q. I was asking if -- I understand -- I was asking

1 about the guys who did jail time on the heroin.

2 A. Right.

3 Q. And you said you believed they were selling
4 marijuana. Do you believe --

5 MS. POOLE: Objection.

6 MS. KIBLER: Objection.

7 BY MR. MANCE:

8 Q. Was that an injustice, what happened to those
9 men?

10 A. No.

11 Q. No? Okay. Do you think the civil rights of
12 people engaged in criminal activity are as important to
13 protect as the rights of the people who are not engaged
14 in criminal activity?

15 MR. BLANCHARD: Objection.

16 THE WITNESS: Yes.

17 BY MR. MANCE:

18 Q. You do? Okay. Do you consider the people who
19 are convicted of heroin trafficking as having been
20 wrongfully convicted?

21 A. Yes.

22 Q. Do you know if the vice detectives you work
23 with regarded them as wrongfully convicted?

24 A. Yes.

25 Q. Are you aware of any of your detectives ever

1 having expressed any concern for the wellbeing of my
2 clients?

3 A. Nothing specific.

4 Q. Do you think the Raleigh Police Department has
5 learned anything or made any changes in response to what
6 happened to my clients?

7 A. Yes.

8 MS. KIBLER: Object to the form.

9 BY MR. MANCE:

10 Q. You do?

11 A. I do.

12 Q. What do you think has changed?

13 A. Well, I think, like I mentioned earlier, I
14 think Dottie met with our commanders over in the
15 Detective Division to try to prevent these sort of things
16 from happening again. I think the facilitation of
17 getting the equipment that we should have already had was
18 done and, obviously, when bad things happen and you're
19 able to make corrections, I think we've done so, or at
20 least heading in the right direction.

21 Q. Are you familiar with the Raleigh North
22 Apartments where this happened?

23 A. Yes.

24 Q. How would you characterize that neighborhood?

25 A. It's just a subsidized apartment housing.

1 Q. Are the people who live there generally poor?

2 A. Yes.

3 Q. Do you think the people that live there are
4 generally good people?

5 A. Yes.

6 Q. Do you think it's an easy place for a child to
7 grow up?

8 A. Probably not.

9 Q. Would you agree that many live there because
10 that's one of the few places in town they can afford to
11 live?

12 A. Yes.

13 Q. Would you agree that many people who live there
14 would prefer to live somewhere else, but this is where
15 their job is and this is where they can afford to live
16 with their paycheck?

17 MR. BLANCHARD: Objection.

18 MS. KIBLER: Objection.

19 THE WITNESS: That's a little speculative, but
20 possibly.

21 BY MR. MANCE:

22 Q. Would you agree this includes people like you
23 who work for the City or the County, but who have
24 lower-wage jobs?

25 MR. BLANCHARD: Objection. And these are

1 relevance, not --

2 MR. MANCE: We're almost done.

3 THE WITNESS: I don't understand the question.
4 Can you repeat it?

5 BY MR. MANCE:

6 Q. Do you agree that city and county workers live
7 in those apartments?

8 A. I don't have any knowledge of that, but it's
9 possible.

10 Q. Well, you've been sued by the plaintiffs in
11 this case, right?

12 A. Yes.

13 Q. Did you get a copy of the complaint?

14 A. Yes.

15 Q. Did you read it?

16 A. I read some of it.

17 Q. Would it be appropriate for a police officer to
18 treat a person's simple presence in a place like Raleigh
19 North as indicia that they're engaged in criminal
20 activity?

21 A. No.

22 Q. Do children in that neighborhood have to be
23 more careful than in other parts of the city to avoid
24 gang elements?

25 MS. KIBLER: Object to form.

1 THE WITNESS: I would say there's more gang
2 element there, so --

3 BY MR. MANCE:

4 Q. Do gangs pose a danger to the safety of kids in
5 that neighborhood?

6 A. Yes.

7 Q. Have gang members been known to shoot people in
8 that neighborhood?

9 A. Yes.

10 Q. Have they sometimes been known to shoot young
11 people?

12 A. Yes.

13 Q. As a police department employee, is there any
14 situation in which you would ever consider it acceptable
15 to insinuate that a child was involved in drug or gang
16 activity if you knew they were not?

17 A. If I knew that they were not?

18 Q. Yeah.

19 A. No.

20 Q. That would not be appropriate?

21 A. Not if I knew they were not.

22 Q. Were you reprimanded in 2011 for consuming
23 alcohol with an underage CI?

24 A. Yes.

25 MR. BLANCHARD: Objection.

1 BY MR. MANCE:

2 Q. N-439. Yes?

3 MR. BLANCHARD: And that was relevance, by the
4 way.

5 BY MR. MANCE:

6 Q. Did you threaten a motorist in a traffic stop
7 in 1999?

8 MR. BLANCHARD: Same objection.

9 THE WITNESS: Yes.

10 BY MR. MANCE:

11 Q. Did you make a comment over a radio about
12 having PTSD from fighting the Viet Kong?

13 MR. BLANCHARD: Same objection.

14 THE WITNESS: I don't recall that, no.

15 BY MR. MANCE:

16 Q. You don't recall that?

17 A. I don't think so.

18 Q. 2014?

19 MR. BLANCHARD: Objection.

20 THE WITNESS: I don't think so.

21 BY MR. MANCE:

22 Q. Were you in Vietnam?

23 A. No.

24 Q. Do you understand that there are significant
25 disputes between the parties in this case that you could

1 be called to testify if this case goes to trial?

2 A. Yes.

3 Q. Do you understand that at the trial, you might
4 be asked the same questions you were asked today?

5 A. Yes.

6 MR. BLANCHARD: Objection.

7 BY MR. MANCE:

8 Q. Do you intend to testify consistent with how
9 you've testified today?

10 A. Yes.

11 MR. MANCE: Okay. I'd like to take a 10-minute
12 break and confer with Abe.

13 (Brief recess from 2:27 p.m. to 2:42 p.m.)

14 BY MR. MANCE:

15 Q. Mr. Rolfe, when did you start with the Raleigh
16 Police Department?

17 A. October 30th, 1995.

18 Q. When did you join -- when did you start doing
19 drugs or vice work?

20 A. I was a Drugs and Vice Detective in 2007-ish,
21 and then I want to say I was moved over there as a
22 sergeant -- oh, Lord -- I was over there about five years
23 before being relocated.

24 Q. Did you transition from detective to sergeant
25 without leaving the unit?

1 A. No.

2 Q. You worked in another place in between?

3 A. Right.

4 Q. And where did you work then?

5 A. Patrol.

6 Q. How many years were you a Drugs and Vice
7 Detective?

8 A. One.

9 Q. Just one? When you -- and you said that was
10 around 2007?

11 A. Uh-huh.

12 Q. When you were working in 2007 in Drugs and
13 Vice, were the practices and policies similar to the ones
14 that existed when you were sergeant?

15 A. Yes.

16 Q. Can you think of any policies that changed?

17 A. No.

18 Q. To the best of your knowledge, were all the
19 policies that were in effect in the unit in 2007 the same
20 ones that were in effect when you were the sergeant of
21 the unit?

22 A. Yes.

23 Q. And to be -- okay. When you were working in
24 2007 as a drug detective, was it the practice -- was it
25 your practice to ever meet alone with CIs?

1 A. Yes.

2 Q. Was it the practice of other detectives that
3 you worked with in 2007 to meet alone with CIs?

4 A. Yes.

5 Q. When you worked as a detective in 2007 in the
6 drugs unit, vice unit, was the lock box policy -- what
7 was the lock box policy?

8 A. I don't remember the specific policy, you know,
9 since I wasn't the one giving out the money, but it was
10 similar to what we had been doing up to this incident.

11 Q. Did drug detectives, when you worked there in
12 2007, have access to cameras in the way that they do when
13 you were sergeant?

14 A. No.

15 Q. How would buys be documented in 2007?

16 A. Very rudimentary, little cameras, terrible
17 reception that had little -- I can't think of -- losing
18 the term there. The little disk that you put in to
19 record and put in a reader. I can't even think of what
20 you call those, but just very ancient-type recording
21 equipment.

22 Q. So there were cameras available to the unit;
23 they were just of poor quality?

24 A. Right.

25 Q. Okay. Was it the practice of the sergeant --

1 or did you have a sergeant at that time?

2 A. Yes.

3 Q. Who was your sergeant?

4 A. Mike Glendy.

5 Q. Do you know if your sergeant made a -- reviewed
6 the buy videos that were available in 2007?

7 A. No.

8 Q. Were there ever occasions when you were a
9 detective in 2007 on the Drug and Vice Unit where you
10 personally took money out of the drop box -- the lock
11 box?

12 A. I don't think so.

13 Q. Were there any occasions where you think other
14 detectives might have done so?

15 A. Yeah.

16 MS. KIBLER: Objection.

17 BY MR. MANCE:

18 Q. Can you recall any specific occasions?

19 A. No.

20 Q. Did you have a work phone when you were
21 sergeant of the drugs unit?

22 A. Yes.

23 Q. Do you still possess that work phone?

24 A. No. It was damaged and turned in.

25 Q. How was it damaged?

1 A. The screen was cracked or shattered, dropped.

2 Q. When did that happen?

3 A. I don't know. We tried to find the work order
4 on that, had it narrowed down to somewhat of a window,
5 but I don't know the specific date we were looking at
6 that.

7 Q. Do you recall the circumstances of how the
8 phone became damaged?

9 A. It got dropped and the screen shattered, that
10 tempered glass, and you couldn't do anything to the
11 screen, manipulate the screen.

12 Q. Did you or anyone at the department attempt to
13 determine if it was possible to recover the information
14 on that phone so that you could transfer it to a new
15 phone?

16 A. Maybe not so much that. I think Dottie just
17 inquired with me if I still had the same phone that I had
18 back then, and we were trying to determine if we could
19 pinpoint the date that I went to IT to get a new phone.

20 Q. What was your practice as sergeant with respect
21 to texting detectives?

22 A. We texted a lot, almost exclusively.

23 Q. And would you participate in those
24 conversations regularly?

25 A. Yes.

1 Q. And when you would text with detectives, would
2 you typically text one-on-one with detectives?

3 A. Mostly group. Occasionally, one-on-one, just
4 depending on what -- whether we're -- you know, there was
5 always an ongoing thread and then, you know, if it was a
6 specific question or something specific to one person, an
7 individual text.

8 Q. Did the text -- did you have a practice of
9 always texting your officers on department-issued phones?

10 A. For the most part.

11 Q. Were there occasions that you did text your
12 officers on personal phones?

13 A. Probably.

14 Q. Do you know if your officers were texting on
15 personal or professional phones, primarily?

16 A. For the most part, anything work related would
17 be on the work phone and then personal related would be
18 on the personal phone.

19 Q. Okay. Do you -- when you were sergeant of the
20 Drugs and Vice Unit, would you review -- how many
21 drug-related reports would you estimate that you might
22 review in the course of a year?

23 A. Probably thousands because it wasn't just my
24 drug guys' reports; it's any drug report citywide from
25 somebody stopping a car and finding a dime bag of weed to

1 any report that was categorized as a drug report and
2 ended in the drug queue and had to be filtered through.

3 Q. Is it possible -- was it possible, given your
4 other job responsibilities, to read -- substantially read
5 most of those drug reports?

6 A. Yes.

7 Q. Did you attempt to read all drug reports in
8 full?

9 A. No.

10 Q. Were there times where you would initial or
11 sign off on drug reports without having read them in
12 full?

13 A. You don't sign off on them at all, just if you
14 pull up that report, and so part of that responsibility
15 is to determine whether an arrest was made, and you had
16 to do some clicking and updating, or whatever, so it's
17 automatically to stamp with your name. You know, if you
18 open it up and approve it, it's got your name on it.

19 Q. What does approving it in that way signify?

20 A. So, basically, for me to approve it is just
21 pull it up, make sure, you know, the tabs, which, you
22 know, has a person, you know, a person that was arrested
23 and that sort of thing; a skim of the synopsis and the
24 narrative to see if there's any value in following up, if
25 it's just a basic, "Hey, I pulled this guy over for the

1 odor of marijuana, found the marijuana, put the marijuana
2 in evidence."

3 You know, that was his very quick review, so,
4 you know, it would be impossible to fully review those
5 word for word with a fine-toothed comb. The amount of
6 reports that were in there, you had to prioritize based
7 on whether it looked like it had meat to it or not.

8 Q. Do you recall the password that you would use
9 for your work-issued phone, the one that broke?

10 A. No, not specifically. I'm trying to remember
11 if it's the same one that I have now, and if it is, I
12 don't want to share it.

13 Q. So you do have a number in mind. You're
14 just --

15 A. I don't --

16 Q. -- that you believe could potentially work?

17 A. Yeah.

18 Q. Okay.

19 A. Actually, I think it was a pattern.

20 Q. Okay. Have you met with the Wake District
21 Attorney related to Detective Abdullah or Dennis
22 Williams?

23 A. You mean the ADA or --

24 Q. Anyone from the Wake DA's office.

25 A. Not -- a few times we've with the DA's office

1 in person. I don't know if it was specifically related
2 to those cases. There might have been some phone calls
3 and some e-mails, but I don't have a specific
4 recollection of the meetings regarding that.

5 Q. So you may have met with them about other
6 cases?

7 A. Oh, in general, when we first came over, you
8 know, and met with all the drug DA's. There's a high
9 volume of turnover up there in the drug unit, so I don't
10 have any specific recollection of meetings specific to
11 these Abdullah cases. I know there were some -- after
12 the IA investigation, of course, there were some
13 inquiries on obtaining different things, but I don't have
14 any specific recollection of an in-person meeting.

15 Q. Are you aware that both Mr. Abdullah and
16 Mr. Williams have been criminally charged?

17 A. Yes.

18 Q. Okay. Do you recall having any conversations
19 with the Wake DAs about either of those specific
20 prosecutions?

21 A. No.

22 Q. Sitting here today, have you ever reviewed
23 Abdullah's buy videos or Williams' buy videos?

24 A. No.

25 Q. You've made a number of references today to the

1 1021 app. Can you just give me a brief description of
2 how that app works?

3 A. The 1021 app is just on a cellphone. It's an
4 app basically embedded into the phone that allows you to
5 monitor live audio, and if the phone is out, you can also
6 see through the camera. And basically you activate the
7 phone and then other phones can hook into the app to
8 monitor the goings-on.

9 Q. So if we were to assume that -- let's just say
10 I'm the informant and this is my phone and I'm on a buy,
11 and I've got my phone out so that my camera lens is
12 exposed.

13 A. Right.

14 Q. Would it be that you could essentially see on
15 your screen what my camera is recording?

16 A. Yes.

17 Q. Is there any interface or would you just see
18 sort of the raw video?

19 A. It's the raw video.

20 Q. Okay. And so --

21 A. Granted, if you're a drug dealer and somebody
22 has their phone out, it's going to be a no-go, bad
23 situation, so it wasn't like, "Hey," you know, that kind
24 of deal, so you either had to try to put it in your
25 pocket or hold it in your hand kind of nonchalantly. You

1 might catch something and you might not. But if you had
2 just held it up in an obvious fashion, it would not be a
3 good situation.

4 Q. Okay. Do you know if it is the practice of the
5 Raleigh Police Department to still not field test certain
6 drugs?

7 A. As far as I know, there's still a policy not to
8 field test anything that could potentially be heroin due
9 to the fentanyl risk.

10 Q. Did you say earlier today that you thought --
11 and I may have misheard you -- that most of the heroin
12 being sold today might not test positive for heroin?

13 A. Right.

14 Q. And is that because of fentanyl?

15 A. Yes.

16 Q. And can you field test specifically for
17 fentanyl?

18 A. You can.

19 Q. And is that the narc -- the Trunarc technology?

20 A. Well, the Trunarc can test -- any kind of drugs
21 it can identify if it's in there. There were field tests
22 that were specific to fentanyl, but we didn't purchase
23 those because it was against policy and too dangerous to
24 test fentanyl. So prior to the Trunarc, you just -- it
25 was the policy not to test anything that would be heroin

1 related due to the threat of the fentanyl exposure.

2 Q. To clarify your question, was it against policy
3 to purchase something that would have detected fentanyl?

4 A. No.

5 Q. Okay.

6 A. What I'm saying is, Trunarc is a scientific
7 device, but there were fentanyl field test kits
8 available, a chemical reaction, that could have been
9 purchased, but we didn't purchase them because it was
10 against our -- deemed to be too dangerous to test it, so
11 we didn't -- we didn't buy those style test kits.

12 Q. You made some references or you have given some
13 answers today about discussing concerns related to
14 Detective Abdullah with Lieutenant Bunch. Do you recall
15 approximately how many different conversations you might
16 have had with Lieutenant Bunch about Detective Abdullah?

17 A. Probably 10, 12.

18 Q. So you've also made a number of statements
19 about kind of trying to assess whether this internal
20 squabble between detectives might be the reason that some
21 of these concerns are being voiced. Is that fair?

22 A. Yes.

23 Q. What specific things were you doing to make a
24 determination of that question?

25 A. Just evaluating each case, you know, case by

1 case, on its merit. Did the target show up? Did it
2 appear that there was a drug transaction occurring? Did
3 we recover our buy money? Is everything that you're
4 seeing and hearing on audio and video consistent with a
5 drug deal? And, you know, did the targets have a history
6 of drug activity, you know, that sort of deal, just
7 basically physical observation of the cases.

8 Q. With respect to this question regarding the
9 internal squabble, I think is the phrase we've used, did
10 you meet with anyone specifically to have conversations
11 about that?

12 A. No, because, you know, it was evident that, you
13 know, everybody -- all the other detectives had such
14 negative interaction with Abdullah that there wouldn't
15 have been -- I already knew what their reaction or
16 conversation would be related to him, so I was trying to
17 just evaluate on my own kind of independently, you know,
18 what value these complaints held.

19 Q. Did you seek Lieutenant Bunch's perspective on
20 this question?

21 A. No.

22 Q. Did you meet with any of the individual
23 detectives specifically about this question?

24 A. No.

25 Q. Did you have any other strategies or ideas in

1 mind to get to the bottom of this question that you did
2 not get a chance to do because this all blew up?

3 A. No. And, you know, granted, this was cases
4 that occurred over a period of time. I think we're kind
5 of ignoring the fact that there were five other
6 detectives operating and doing their cases, so it's not
7 like I had a full-time job to evaluate Abdullah and his
8 CI. You know, I had other job tasks that I was
9 responsible for and other additional detectives that had
10 their own cases and investigations and arrests, so the
11 short answer would be no.

12 Q. Are you aware of whether Abdullah's audio and
13 video of buys were provided to the Wake County DA's
14 office?

15 A. No.

16 Q. Do you know where Officer Abdullah worked off
17 duty?

18 A. Different bars and places. I don't know all
19 the specifics. He worked at multiple, different places.

20 Q. Was the way that you came to be aware of issues
21 with the video from -- strike that question.

22 Do you recall we discussed your first
23 conversation with Detective Abdullah about the need to
24 have Aspirin correct the way he was holding the video?

25 A. Can you ask that again? Sorry.

1 Q. Do you recall we had discussed earlier the
2 first time you spoke to Abdullah about Aspirin -- Aspirin
3 needs to correct the way he's holding the video?

4 A. Right.

5 Q. Did you have that conversation with him because
6 of something you had observed in the field via the 1021
7 app?

8 A. If I recall correctly, that was the reason,
9 yes.

10 Q. There was some discussion about case update
11 e-mails. Do you recall that?

12 A. I may need a refresher on that.

13 Q. I think somewhere in -- actually, it might not
14 be a discussion. It might have just been in the
15 discovery. I've seen references. Are you aware of a
16 case update e-mail? Does that mean anything to you?

17 A. You know, all -- a lot of cases, the
18 disposition is -- a case update is sent out either
19 citywide, or depending on what your job assignment is, it
20 might be narrowed down to a smaller group of people, but
21 the case update is just basically like a wrap-up of what
22 happened and if charges were made and different things
23 like that.

24 Q. And, generally speaking, what is the type of
25 information? You said a few things, but what else --

1 A. A very short synopsis of what occurred, who was
2 arrested, what was recovered. Now, this is specific to
3 drugs. What was recovered, currency recovered, weapons
4 recovered, and the charges made.

5 Q. Were you on any text threads with your
6 detectives where they bet on the results of Aspirin's
7 cases?

8 A. No, I don't think so.

9 Q. Were you part of any text messages with your
10 detectives where they discussed their belief that Aspirin
11 was providing fake heroin?

12 A. I can't speak on that. We've probably sent a
13 million texts over this span, you know. I wouldn't dare
14 to speculate whether I did or didn't in fear of being
15 wrong.

16 MR. MANCE: Okay. Okay. I don't have any
17 further questions.

18 MR. BENSON: I don't have any questions.

19 MS. POOLE: I'm good.

20 MS. LIGUORI: I have no questions.

21 MS. KIBLER: No questions.

22 MR. BLANCHARD: None for me.

23 MR. MANCE: All right. Thank you very much.

24 (Whereupon, at 3:04 p.m. on January 17, 2023,
25 the deposition was concluded. Signature was reserved.)

E R R A T A S H E E T

(1 of 3)

DEPOSITION OF: WILLIAM ROLFE

Re: Irving, et al. vs. The City of Raleigh, et al.
Civil Action No.: 5:22-cv-00068-BO

Please read the foregoing transcript with care, and if you find any corrections or changes you wish be made, list them by page and line number below.

You may return these ORIGINAL errata sheet pages within the 30-DAY REQUIRED timeframe by mail or email to:

Reed & Associates
2401 Whirlaway Court
Matthews, North Carolina 28105
(980) 339-3575
VReed@carolina.rr.com

To assist in making any such corrections, please use the forms provided below. If additional pages are necessary, please furnish same and attach hereto.

Page _____ Line _____ Change _____

Reason for Change _____

Page _____ Line _____ Change _____

Reason for Change _____

Page _____ Line _____ Change _____

Reason for Change _____

Page _____ Line _____ Change _____

Reason for Change _____

REED & ASSOCIATES
MATTHEWS, NORTH CAROLINA 980.339.3575

E R R A T A S H E E T

(2 of 3)

Page _____ Line _____ Change _____

Reason for Change _____

Page _____ Line _____ Change _____

Reason for Change _____

Page _____ Line _____ Change _____

Reason for Change _____

Page _____ Line _____ Change _____

Reason for Change _____

Page _____ Line _____ Change _____

Reason for Change _____

Page _____ Line _____ Change _____

Reason for Change _____

Page _____ Line _____ Change _____

Reason for Change _____

Thank You!

REED & ASSOCIATES

MATTHEWS, NORTH CAROLINA 980.339.3575

WITNESS CERTIFICATE

(3 of 3)

I, WILLIAM ROLFE, do hereby certify that I have read and understand the foregoing transcript and believe it to be a true, accurate, and complete transcript of my testimony, subject to the attached list of changes, if any.

WILLIAM ROLFE

This deposition was signed in my presence by WILLIAM ROLFE on (day) _____, this (date) _____ day of (month) _____, 2023.

Notary Public

My Commission Expires: _____

REED & ASSOCIATES
MATTHEWS, NORTH CAROLINA 980.339.3575

STATE OF NORTH CAROLINA

CERTIFICATE

COUNTY OF FRANKLIN:

I, DEBORAH A. HYDE, Certified Court Reporter and Notary Public in and for the County of Franklin, State of North Carolina, do hereby certify:

That WILLIAM ROLFE appeared before me at the time and place herein aforementioned; was duly sworn in the manner provided by law by me prior to the taking of the foregoing deposition, and that said deposition was taken by me and transcribed under my supervision and direction; and that the foregoing 200 pages constitute a true and correct transcription of the proceedings.

I do further certify that reviewing and signing of the transcript by the witness was reserved.

I do further certify that the persons were present as stated in the appearance page.

I do further certify that I am not of counsel for, or in the employment of, either of the parties in this action, nor am I interested in the results of this action.

This the 25th day of January 2023.

DEBORAH A. HYDE, Certified Court Reporter
Notary Public Number 20021400234

REED & ASSOCIATES
MATTHEWS, NORTH CAROLINA 980.339.3575